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CONFIDENTIAL.

(9793.)

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PART 41.

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF MOROCCO.

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1910.

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112	To Sir H. Cunynghame	Telegraphic	17,	Mining law. Refers to No. 111. Authorises him to sign protocol *ad referendum*. Agrees to maximum limit of 60,000 hectares, but sees no reason why areas granted by Lausanne tribunal should be excepted from this rule	143

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113	Sir H. Cunynghame to Mr. Langley	..	May 18, 1910	Mining law. Reports changes in regulations desired by German Government, the effect of which is to place Mannesmanns in as good, or better position than others with earlier and stronger legal rights. Requests instructions	143
114	Mr. Langley to Sir H. Cunynghame	..	19,	Mining law. Refers to No. 113. Views of His Majesty's Government on German amendments. His Majesty's Government strongly object to giving specially favourable treatment to Mannesmanns, which might result in their obtaining a mining monopoly	144
115	Mr. Lister.. ..	74	11,	Ceuta–Tetuan road. Refers to No. 106. Sultan has sent El Geai to Raisuli with orders to march against Spaniards if they advance from Ceuta, and Guebbas and kaïds have been told to place themselves at Raisuli's orders. Raisuli says he has no intention of carrying out Sultan's orders..	145
116	„ „	75	14,	General situation. Growing worse and worse. General exasperation against Sultan, who has carried out none of his promises to French Minister. Europeans at Fez alarmed. Sultan's position very shaky. Aissa and Glawi ready to desert him at once	146
117	„ „	76	16,	General situation. Hiaina tribes are attacking Sultan's mehalla daily. If mehalla is destroyed, situation at Fez might become desperate for Sultan	146
118	To Sir H. Cunynghame	Telegraphic	21,	Mining law. German Ambassador has requested that he may be instructed to vote for prolongation of discussions in Paris. Hesitates to give instructions in sense desired without fuller information ..	147
119	Sir M. de Bunsen ..	63 Confidential	15.	Ceuta–Tetuan road. French Ambassador says question can be considered as settled satisfactorily. M. Révoil has had audience with King, who declared positively that his Government had no intention of advancing on Tetuan	147
120	Sir H. Cunynghame to Mr. Crowe	..	22,	Mining law. Reports proceedings of commission. Question of extent of mining areas	148
121	Sir H. Cunynghame to Mr. Langley	..	23,	Mining law. Reports reassembly of International Commission and amendments suggested. Requests instructions ..	149
122	Mr. Langley to Sir H. Cunynghame	..	24,	Mining law. Refers to Nos. 120 and 121. Views of His Majesty's Government on suggested amendments and instructions as to line he should adopt	150
123	Sir H. Cunynghame to Mr. Crowe	..	25.	Mining law. Conversation with M. Aguillon. French Government would not support last text, as it gave too free a hand to Lausanne court. Mannesmann had offered to abandon all claims in return for 50 per cent. of profits of French and Spanish companies	151
123*	Note communicated by French Ambassador	..	25.	Mining law. Communicates text of article 58 which French Government desires to be adopted. Requests that instructions in that sense may be sent to British delegate	151*

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124	Sir H. Cunynghame to Mr. Langley	..	May 25, 1910	Mining law. Reports proceedings of International Commission. Thinks German Government want to conclude the affair, but are trying to content Mannesmanns, and a general agreement is still doubtful..	152
124*	Mr. Lister ..	33 Tel.	26,	Claims Commissions. Refers to No. 116. Sultan has nominated Moorish delegates with full powers. Guebbas, who is to be president, has asked for instructions as to procedure. French have protested on ground that Sultan had accepted procedure to be drawn up diplomatic body. Has agreed, with other foreign representatives, to support French Minister	153*
125	Mr. Langley to Sir H. Cunynghame	..	26,	Mining law. Transmits copy of No. 123*. Leaves it to his discretion to stand by version of article 58 as recommended by four commissioners (see No. 121), or to support version desired by French Government	153
126	Mr. Lister ..	79	21,	British claims in district of Kaïd-el-Yusfi. Transmits correspondence with Consul MacLeod. Kaid has been in Fez, and foreign consuls have endeavoured to obtain settlement before he was allowed to depart. They have not been successful. Matter will be discussed with French and Spanish Ministers	153
127	„ „ ..	80	22,	General situation. French consul at Fez takes very pessimistic view. Sultan's funds are very low. Ben Aissa, the Basha of Fez, and his relations have been arrested and tortured in order to seize their wealth. Sultan may be expected to go back on all his promises. M. Regnault thinks it is best to do nothing until loan has actually been effected. Then France will take necessary steps	155
128	„ „ ..	81	22,	British officers in Sultan's service. Arrears in case of Balding and Redman are now to be paid. French consul has told Consul MacLeod that he thinks that by Anglo-French agreement French were bound to see that British officials received similar treatment to French officials. M. Regnault agrees and says he is ready to present claims of British officials at Fez with those of French	128
129	„ „ ..	82	22,	Moorish Mission to London (see No. 76). Sultan still hopes to send mission to London. Guebbas has told Irwin that Sultan is so anxious to send mission that he has determined to address a letter to diplomatic body promising never to allow tortures again, and in future to err on the side of leniency	156
129*	Sir F. Bertie ..	204	25,	Loan. Refers to No. 108. Conversation with M. Pichon, who admitted that French financiers had thwarted his own proposal. He had no previous knowledge of Sir E. Cassel's share in business of Banque de Paris, and this was not the British participation he had had in mind	157*

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130	Mr. Lister	83	May 23, 1910	Taxation of foreigners in Shawia. Refers to No. 107. Has explained to M. Regnault views of His Majesty's Government. M. Regnault had to admit their force, and is writing to Paris on the subject. Suggests declaration which might be made to diplomatic body	157
131	Sir F. Bertie ..	212	29,	Loan. Refers to No. 129*. Transmits communication from Ministry for Foreign Affairs stating that M. Pichon's desire for British participation was conveyed to French banks, but that French Government could not intervene in actual loan arrangements. French Government believed that arrangements made by banks would be acceptable to His Majesty's Government. French Government have always acted in accordance with principles of 1904 declaration	158
132	Mr. Lister.. ..	84	25,	Moorish mission to London (see No. 129). No reference thereto in Sultan's reply to official intimation of death of King Edward. Guebbas alluded to matter and was informed that attitude of Sultan was not such as to induce Mr. Lister to advocate reception of mission	159
132*	„ „	34 Tel.	June 1,	Menebhi. Has given up hope of obtaining settlement by Makhzen. Suggests that Menebhi should put in a claim to commission. French Minister approves, and has acted similarly on behalf of French protégé	159*
133	„ „	85 Confidential	May 27,	Proposed journey of ex-Sultan to Egypt. Ex-Sultan wishes to go for a tour to Egypt, Syria, Tunis, and Algiers merely for his own amusement, and not for any political reasons. Ex-Sultan gave M. Regnault to understand that he did not desire to return to throne	159
134	„ „	86 Confidential	28,	Loan. Refers to No. 100. Transmits list of firms composing Tangier consortium who desire share of loan. Probable that they will be able to obtain shares at reduced rate through State Bank ..	160
135	„ „	87 Confidential	28,	Visit of ex-Sultan to Egypt. Refers to No. 133. Ex-Sultan has asked that British official may be attached to him during his stay in Egypt. General situation. Abdel Aziz says Glawi is all-powerful, and without his support Mulai Hafid could not remain on throne. He himself would not accept throne under such a condition, and his return under ægis of French would be equally undesirable. He would refuse throne if offered to him	161
136	Sir H. Cunynghame to Mr. Langley	..	June 1,	Mining law. Refers to No. 124. Transmits text of article 58 under consideration of commission. Views of other delegates on this text	162
137	To Mr. Lister ..	14 Tel.	2,	Visit of ex-Sultan to Egypt (see No. 133). Impossible to give answer before consulting Sir E. Gorst Abdel Aziz should not proceed pending such answer ..	163
138	To Sir E. Gorst ..	34 Tel.	2,	Visit of ex-Sultan to Egypt (see No. 137). Is there any objection, and can suitable person be attached to him? He will be *incognito*	168

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139	To Sir H. Cunynghame	Telegraphic	June 2, 1910	Mining law. Refers to No. 136. If revised text of article 58 is accepted by France he may also accept	164
140	Note communicated by M. Cambon	..	3,	Taxation of foreigners in Shawia (see No. 130). French Government desire that diplomatic body at Tangier should discuss question	164
141	Mr. Lister	88	May 28,	Claims Commission. Refers to No. 104. Transmits final text of negotiations as approved by diplomatic body and communicated to Sultan. Nationalities have been grouped into four, Great Britain taking Italy and Holland. British group is allotted to sub-commission consisting of Ali Zaky Bey and Bargash	164
142	Sir E. Gorst ..	34 Tel.	June 4,	Journey of ex-Sultan to Egypt. Refers to No. 138. No objection to his coming as private traveller. Suitable official will be attached to him	167
142*	To Mr. Lister ..	Telegraphic	4,	Menebhi. Approves suggestion contained in No. 132*	167*
143	Mr. Lister	89	May 30,	Weekly summary. Situation at Fez critical. Mehalla operating against Hiaina has retired on Fez. Numerous desertions. Mulai-el-Kebir still with Taza tribes, though his exact position is not known ..	167
144	Sir H. Cunynghame to Mr. Langley	..	June 4,	Mining law (see No. 139). German, French, and Spanish delegates have accepted article 58 substantially in form submitted. Labours of commission now nearly ended .	168
145	Sir F. Bertie ..	217	6,	Union des Mines marocaines. Transmits correspondence to the effect that ten shares in union have been allotted to Messrs. Baird, of Glasgow	168
146	To Sir M. de Bunsen „ Mr. Lister ..	59 68	9,	Union des Mines marocaines (see No. 145). Ten shares have been allotted to Messrs. Baird. Apparently ten shares are still available for British capital	169
147	To M. Cambon ..	..	9,	Taxation of foreigners in Shawia. Refers to No. 140. His Majesty's Government agree to proposal that question should be examined by diplomatic corps at Tangier..	170
148	Mr. Lister	90	3,	Permanent Customs Committee. Mr. White unanimously appointed by foreign representatives as diplomatic delegate on, for further term of three years	170
149	„ „	91	3,	Claims Commission. Refers to No. 141. Transmits Guebbas's reply to corps diplomatique saying work cannot be begun on 1st June, and expressing hope that delay will be granted, as no answer has been received from Sultan. Various proposals for overcoming obstruction of Makhzen. Sultan has since agreed to sub-commissions beginning work in accordance with procedure submitted by diplomatic body ..	170
150	„ „	92	5,	General situation. Growing worse. News of Mulai-el-Kebir's proclamation by Taza tribes is generally confirmed. Proposed attack on Shereefian mehalla. Latter discontented. Trouble also seems brewing in Alcazar district. Spanish protection granted to R'miki. Shamelessness of Spain in this respect	171

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152	Sir H. Cunynghame..	..	9,	Mining law. Transmits text of projet and protocol as signed by four representatives on 7th June	174
153	To Sir F. Bertie ..	287	11,	Loan. Refers to No. 131. His Majesty's Government are dissatisfied with attitude of French Government with regard to participation of British banks. Refutes arguments advanced in French memorandum and instructs Ambassador to make communication in this sense	190
154	Memorandum by Sir Edward Grey	..	14,	Ex-Sultan's visit to Egypt (see No. 133). Spanish Ambassador informed by Sir E. Grey that he regarded it as mere pleasure trip, which it would be uncivil to object to. Promised to inform him of Abdul Aziz's movements	191
155	Sir M. de Bunsen ..	75 Confidential	13,	General situation Conversation with French Ambassador, who expressed satisfaction at settlement of Riff mines and Ceuta road questions. Difficulty of making out Spanish case for possession of Riff mines at Mining Regulations Conference. Spain still seeking to extend her influence in Riff country. Spain already beginning to raise question of renewing arrangements for police control. Fear that she will press for redistribution of spheres	192
156	To Mr. Lister ..	72	16,	Torture of Ben Aissa's wife. Refers to No. 151. Transmits extract from "Times" reporting tortures inflicted on Ben Aissa's family subsequent to note from Guebbas promising cessation of cruelties. He should endeavour to obtain confirmation. Approves note to Makhzen	192
157	Sir F. Bertie ..	231 Confidential	16,	Loan. Interview with Minister for Foreign Affairs, to whom he handed memorandum in sense of No. 153. M. Pichon practically admitted that French memorandum respecting participation of British banks did not reflect his views, and asked what His Majesty's Government wished done. Informed that it was too late. He promised to confer with Minister of Finance (see No. 131)	193
158	Consul MacLeod ..	6	2,	General situation. The Hiaina have joined rebel tribes after failure of negotiations with Sultan. Confusion and waste of Makhzen. Difficulties experienced by English military instructors and by Dr. Verdon in getting their salaries paid. News from Taza districts. Conflict of various pretenders	193
159	Mr. Lister ..	97	8,	Torture of Ben Aissa's wife (see No. 156). Confirmation of reports. She is said to be dead	195

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160	Mr. Lister ..	98 Confidential	June 11, 1910	General situation. Return to Morocco of Moorish Mission to Paris. El Mokri came to express sympathy on King Edward's death. Mr. Lister took advantage of opportunity to lecture him severely on attitude of Makhzen. Mokri has assured French Minister that he favours policy of collaboration with France	196
161	„ „ ..	99	11,	Raisuli (see No. 150). Raisuli appointed Basha of Alcazar. Threatened conflict with Kaïd R'Miki. Action taken by British subject, left in charge of Spanish interests, to protect R'Miki's property, latter being Spanish protégé. Later: R'Miki's tribesmen disbanded and quiet prevails ..	197
162	„ „ ..	100	13,	Torture of Ben Aissa's wife. Refers to No. 159. Moorish officials do not deny it. Sultan must have ordered torture on the day on which he wrote his note to the doyen promising cessation of cruelties (see No. 151). Sultan hated by all classes in Fez	198
163	„ „ ..	101	13,	Turkish military instructors (see No. 52). Turkish officers have been dismissed by Sultan and will leave Fez as soon as they can cash orders for their pay. Sultan said to be trying to farm out tithes on crops near Fez	199
164	„ „ ..	102	14,	Instigators of Casa Blanca outbreak, 1907. Sent to Algeria to purge sentence of imprisonment for life inflicted by French authorities. Sultan has authorised their removal from Morocco, and the decision of military tribunal to be considered as final .	199
165	Sir M. de Bunsen ..	83	20,	Mining conference and Spain. Mr. Macpherson of Spanish Riff Mining Company considers conclusions of conference fairly satisfactory to Spain, and that this was chiefly due to British delegate, who resisted pretensions of Mannesmann group. Railway from Melilla to Beni-bu-Frur mines nearly completed. Efforts to obtain contracts for British firms. Being convinced that occupation and working will constitute strongest evidence in support of mining claims, Spanish company will display great energy in this respect ..	199
166	Señor de Villa Urrutia to Sir C. Hardinge	Confidential	22,	Spanish naturalisation incident. Moorish Jew, naturalised as Spaniard, having returned to Morocco, Guebbas has said he will not regard him as alien or accept naturalisation. Spanish Government will lodge protest, and hope for support of His Majesty's Government	200
167	To Mr. Lister ..	76	23,	Casa Blanca Claims Commission. Transmits copies of report of British representative (see No. 37), and authorises him to request Makhzen to place total of British claims at disposal of legation. His Majesty's consul at Casa Blanca should inform claimants whose awards first appeared incorrectly of real amounts. Presumes he has claimed repayment of British commissioner's expenses	200
168	To Board of Trade ..	..	23,	Mining law. Transmits copies of law (see No. 152), and proposes, if Board agree, to accept it on behalf of His Majesty's Government	201

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170	Mr. Lister	104	17,	General situation. Views of Mokri. He is convinced present policy will only lead to disaster. Makhzen is ruined, and only way to obtain money is from public works, and no obstruction should be put in way of their execution. He has promised French to endeavour to induce Sultan to change his ways. Doubts as to his genuineness	201
171	„ „	106	19,	Sergeant Balding. Has at last obtained arrears of pay. His claim for losses when in service of the ex-Sultan has been submitted to Tangier sub-commission ..	202
172	„ „	107	19,	Ma-el-Aineen. Has spent few days at Marrakesh, with the object, according to French Minister, of stiffening Sultan's back against French and procuring funds to fight them. He is in a bad way financially	202
173	„ „	108	20,	General situation. News from Fez more reassuring. El Kebir returned to the Ghiata tribe. Some of the Hiaina have laid down arms. Consul at Fez thinks improvement only temporary	202
174	To Mr. Lister ..	78	27,	Torture of Ben Aissa's wife. Refers to No. 159. Difficulty of punishing Sultan. The various obvious courses would be futile and might only provoke further cruelties and revive his popularity. He should consult with French colleague as to means of bringing pressure to bear on Sultan	203
175	To Señor de Villa Urrutia	..	29,	Spanish naturalisation incident. Refers to No. 166. Regrets no decision can be come to until receipt of report from Tangier	203
176	To Mr. White ..	80	29,	Spanish naturalisation incident. Transmits Nos. 166 and 175, and asks for report on subject and indication of whether Spanish contention is justified. Question would appear to hinge on interpretation of article 15 of Madrid Convention ..	203
177	Mr. Lister	109	23,	Cadi of Casa Blanca. Deputy of former cadi will act until settlement is reached with French in regard to new appointment	204
178	„ „	110 Confidential	25,	French military operations. Transmits article from "Dépêche marocaine" describing operations beyond limits of the Shawia under ostensible reason of restoring confidence among tribes. French chargé d'affaires stated confidentially that had expedition met Ma-el-Aineen they would have arrested him. Justification of such course	204
179	Mr. White	111	26,	Tax on town buildings. Transmits Moorish note to doyen respecting necessity for establishment of municipalities at ports. Scheme appears inacceptable in present form	205

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180	Sir E. Gorst ..	89	June 27, 1910	Ex-Sultan's visit to Egypt. Refers to No. 142. Left on 25th. Describes his stay, which was not marked by any incident calling for comment. Agency was represented at arrival and departure, and officer of Egyptian army was permanently attached	206
181	Mr. White.. ..	41 Tel.	July 7,	Claims Commission. Payment of arbitrators in accordance with article 17 of regulations (see No. 141). Gives percentage to be deposited as fixed by French, Germans, and Spaniards. What percentage should he fix for British arbitrator?	206
182	„ „	116 Confidential	1,	Foreign protection to Moorish subjects. Transmits copy of note from Mokri to diplomatic body protesting against abuse of system. Protest probably called forth by recent wholesale grant of protection by Spain	207
183	„ „	119	2,	Casa Blanca Claims Commission. Justifies himself against statement in second paragraph of British commissioner's report (see No. 37) to effect that he arrived in Tangier earlier than necessary owing to Mr. White having written to Foreign Office instead of telegraphing	208
184	„ „	120	3,	French military operations near Tadla. Refers to No. 178. Transmits cutting from "Dépêche marocaine" containing accurate account, and another reporting interview with Mokri, who is perturbed at news. French chargé d'affaires has reassured him	208
185	„ „	121	3,	Moorish High Commissioner on Algerian frontier. Left Tangier for Algiers to confer with Governor-General before taking up duties	209
186	„ „	122	3,	Claims Commission. Refers to No. 149. Sub-commissions have commenced work. Number of claims is considerable. Considers it better to wait and see what British claims are referred to arbitration before appointing British arbitrator. After payment of privileged debts and "liquidated claims" there will probably only remain about 4,000,000 fr. to meet other claims, which are likely to exceed that amount	209
187	To Mr. White ..	20 Tel.	July 9, 1910	Claims Commission. Appointment of arbitrators. Refers to No. 181. Why is it necessary to fix percentage at once? Scale of remuneration must surely depend on amount of claims and class of person selected as arbitrator. He should report whether decision has been taken on latter point (see No. 44)	209
188	Mr. White.. ..	42 Tel.	10,	Claims Commission. Appointment of arbitrators. Refers to No. 187. Notice of appeal must be made and security deposited within forty days after commission has given decision. So far there is only one English claimant who desires arbitration ..	209

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189	To Mr. White ..	21 Tel.	July 12, 1910	Claims Commission. Refers to No. 188. Amount of deposit should be fixed at 3 per cent. Would it be possible for this to be provisional arrangement? What amount would be available at this rate for British arbitrator, and what class of person should be selected?	210
190	Mr. White.. ..	123	7,	Prisons. Transmits extracts from consular reports. Only means of obtaining improvement would be to call Sultan's attention to regulations formerly made by Abd-el-Aziz, and request him to reinforce them ..	210
191	„ „	124	8,	Claims Commission. Amount set aside for payment of claims is not even enough to meet liquidated debts. Arrangements are being made to meet these by transfer of sums destined for other purposes. Only claims being paid are those passed by Casa Blanca Claims Commission. Transmits cheque in payment of expenses incurred by His Majesty's Government on latter commission	214
192	„ „	125	9,	Spanish naturalisation incident. Refers to No. 176. Can ascertain nothing of particular incident referred to. Conversations with Spanish Minister and Guebbas. Former complains that Makhzen will not give effect to article 15 of Madrid Convention; latter that this is not true, and that Spain is abusing the system. No doubt that Guebbas's statement is justified	215
193	„ „	126 Confidential	10,	Dismissal of Turkish officers (see No. 52). They refuse to leave the country, and the senior officer intends challenging editor of local paper which supports French interests to a duel. Moorish authorities cannot turn them out owing to British protection. French chargé d'affaires having asked for Mr. White's intercession, he has succeeded in getting duel abandoned, but cannot get them to leave. Contrary to what was thought, they are "Young Turks," and are supposed to be secret agents of that party	216
194	„ „	127	10,	Mulai-el-Kebir. His cause is on the wane, and he has withdrawn from Taza, in which district Mulai Hafid's position has considerably improved	217
195	„ „	128	10,	Torture of Ben Aissa's wife (see Nos. 156 and 159). Mr. MacLeod confirms tortures, though the woman is still alive. Credit due to British consul, Dr. Verdon, and two English ladies in bringing the truth to light. French chargé d'affaires and he have been unable to think of means of punishing Sultan, but they have spoken severely to Mokri, who is going to Fez ..	217
196	Sir F. Bertie ..	275	16,	Conflict of French troops and tribesmen near Moulouya River. Account drawn from press. The French troops were those sent to open up markets on right bank of river. French casualties	218

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198	To Sir F. Bertie ..	342	21,	Claims Commission. Transmits copy of No. 191. He should enquire how French Government view fact that money will be insufficient to meet claims, and what steps, if any, they propose to take	220
199	To Señor de Villa Urrutia ..		22,	Spanish naturalisation incident (see No. 192). His Majesty's Government would prefer to await recommendations of diplomatic body, who are considering whole question of naturalisation and protection in Morocco before discussing any particular case ..	220
200	Board of Trade		22,	Mining law. Refers to No. 168. Board concurs in proposal to accept draft law in present form	220
201	Mr. White.. ..	132	15,	Torture of Ben Aissa's wife. Refers to No. 195. Sultan has promised correspondent of "Temps," as favour instead of parting gift, to liberate Aissa's wife, but he cannot at present liberate Aissa himself owing to his intrigues with the Berbers. Transmits despatch from Fez respecting Sultan's denial of atrocities ..	221
202	„ „	133	15,	Menebhi's case. Provisional agreement, to be submitted to Sultan, has been reached between Menebhi and Mokri. Fears that Sultan may reject terms and that proposed settlement will be used to prejudice Menebhi's case before the commission ..	222
203	To Sir F. Bertie ..	343	25,	Claims Commission. He should enquire views of French Government on solution suggested by Mr. White in No. 197 to prevent claimants being out of pocket over arbitration fees in event of Makhzen being unable to pay claim at once ..	223
204	To Mr. White ..	94	25,	Prisons. Refers to No. 190. He should lay matter before diplomatic body with a view to requesting Sultan to reinforce Abdul Aziz's regulations. He should also instruct consuls to report from time to time. Endeavour is being made to obtain French support in the matter	224
205	„ „ ..	95	25,	Torture of Ben Aissa's wife. Refers to No. 195. Transmits No. 208, and in event of French Government instructing their representative in sense desired authorises joint protest to Makhzen. He should instruct consul at Fez to take opportunity of impressing on Sultan effect which reports of these cruelties have made on His Majesty's Government	224
206	„ „ ..	96	25,	Dismissal of Turkish officers. Refers to No. 193. Approves his having informed French chargé d'affaires that he could not insist on their leaving Morocco, so long as they were of good behaviour. French Government should approach Turkish Government direct	225

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208	„ „ ..	347	25,	Torture of Ben Aissa's wife. Refers to No. 195. He should express hope that French Government will authorise their representative at Tangier to join in strong protest to Makhzen	225
209	Mr. Lister.. ..	137	20,	Claims Commission. Refers to No. 191. State Bank has notified that it can meet orders for payment of liquidated claims passed by sub commissions	226
210	To Mr. Carnegie ..	352	27,	Mining law. He should inform French Government that His Majesty's Government are prepared to accept draft law and protocol as signed on 7th June ..	226
211	To Mr. White ..	97	28,	Menebhi case. Refers to No. 202. Provided Menebhi is satisfied His Majesty's Government would be glad to see any arrangement come to which would definitely settle the matter	226
212	Mr. White.. ..	138	21,	Casa Blanca claims. It is proposed to lay embargoes on indemnities paid to Moors on whom foreigners have claims. He has suggested that these embargoes should be referred in first instance to the sub-commissions of Claims Commission instead of to arbitration as suggested by Makhzen. Suggestion adopted by foreign representatives	226
213	„ „	139	21,	Claims Commission. Foreign representatives have addressed joint note to Makhzen urging adoption of suggestion reported in No. 197 for provisional payment of arbitration fees by Makhzen	227
213*	„ „	140	21,	Road tolls at Mogador. Transmits protest from British merchants at Mogador against exactions by Kaïds Anfloos and Guilooli, which are ruining trade of port. Matter has been discussed by diplomatic body, who have decided to demand suppression of these tolls, and to hold Makhzen responsible for losses thus caused ..	227A
214	„ „	141	21,	Withdrawal of Moorish troops from ports. Carried out on orders from Sultan. Police remain sole military force. Probable reason for orders	227
215	„ „	143	22,	Ex-Sultan's visit to Egypt (see No. 180). Reports visit to him on his return. He had derived much pleasure from his voyage, but had returned home direct from Beirout instead of carrying out original programme. His appreciation of arrangements made for him in Egypt ..	228
215*	„ „	145	23,	Lighthouse concession. Transmits letter from Société marocaine des Travaux publics asking for concession and memorandum explaining terms on which they are prepared to undertake the work. These documents have been referred to Committee of Public Works	228A

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216	Mr. White ..	150	July 26, 1910	Torture of Ben Aissa's wife. Refers to No. 195. Transmits despatch from consul at Fez suggesting means for preventing repetition of such cruelties. Discusses and supports suggestions, chief of which is that Sultan should be made to forbid secret trials and punishments	228
217	„ „ ..	151	27,	Moorish appointments. El Mokri to be Vizier for Foreign Affairs and his son Vizier of Finance. Aissa-ben-Omar to be Vizier of Complaints. Relations between Mokri and Aissa	229
218	„ „ ..	153	30,	Appointment of Mokri as Vizier for Foreign Affairs. Copy of letter from Sultan informing of	229
219	„ „ ..	156	Aug. 4,	Menebhi case. Refers to No. 202. Sultan has agreed to proposed settlement with only slight modifications. Has instructed consul at Fez to express hope that, in view of small amount to be paid for the Ulad Jama property, Sultan will restore Alcazar property	230
220	To Mr. White ..	114	11,	Torture of Ben Aissa's wife. Refers to No. 220. He should take an early opportunity of consulting with his French colleague with a view to bringing matter before diplomatic body. Approves suggestions made by Mr. MacLeod.. ..	231
220*	Mr. White ..	157	5,	Road tolls at Mogador (see No. 213*). Transmits copy of letter from doyen to Guebbas, who has referred matter to Sultan. Discusses question of opening of port of Agadir to trade	231A
221	„ „ ..	159	6,	Prisons. Refers to No. 204. He will lay matter before diplomatic body as soon as his French colleague has received instructions. Transmits copy of circular despatch to consuls. In consequence of representations from himself and Spanish Minister, Gnebbas has telegraphed to Governor of Mogador to provide food for starving prisoners	232
222	„ „ ..	160	6,	Protection (see No. 192). Discusses statement of Howard Association that system of protection leads to injustice and oppression. Suggests that it should merely be semsar's person and interests of his principal that are protected, and not, as at present, the semsar's own private business ..	232
223	„ „ ..	161	6,	German enterprise in Southern Morocco. Transmits despatch from consul at Casa Blanca reporting formation of companies for hotels, mining, saw-mills, &c. The Mannesmanns are involved in these concerns	233
224	„ „ ..	163	7,	General situation. Mulai-el-Kebir's position very precarious. Abdel Malek Mahideen endeavouring to effect reconciliation with Sultan. Mulai Hafid showing a better disposition towards Powers. French consul at Mogador has been investigating murder of Dr. Manchamp at Marrakesh in 1907. He is convinced murder was instigated by Mulai Hafid	234
225	To Mr. White ..	117	18,	Prisons. Approves action reported in No. 221	235

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226	Mr. White ..	174	Aug. 13, 1910	Prisons. Refers to No. 221. Conversation with French chargé d'affaires. French Government think it better not to invite intervention of diplomatic body, and they are ready to instruct French doctors to inspect prisons periodically and report on them. He thinks more satisfactory results could be obtained this way, and he will not lay matter before diplomatic body without further instructions	235
227	„ „ ..	175 Confidential	16,	Changes in Moorish officials. Cid Guebbas will be at head of Dar-en-Niaba, under El Mokri, Vizier for Foreign Affairs. Bargash and Ben Saïd cease to be members of Commission for Foreign Affairs. Guebbas's son transferred from Tangier to Casa Blanca as basha. Mokri's youngest son appointed Basha of Tangier	236
228	To Mr. White ..	121	25,	Prisons. Refers to No. 226. Approves proposal not to lay matter before diplomatic body. If there is undue delay on part of the French he should report to Foreign Office	236
229	Sir F. Bertie ..	320	24,	Torture of Ben Aissa's wife. Refers to No. 208. Transmits memorandum from M. Pichon recapitulating steps taken by French consul at Fez in the matter. M. Pichon adds that energetic action taken by French representatives will help to put an end to such outrages	237
230	Mr. Norton to Mr. Langley	..	28,	Société marocaine de Travaux publics (see No. 215*). Transmits letter addressed by company to French Minister for Foreign Affairs setting forth their scheme. Requests the support of His Majesty's Government	238
231	Mr. White ..	178	27,	Aissa. Refers to No. 220. Conversation with French Minister, who thinks prevention of such cruelties in future would be better attained by unofficial negotiations than by action of diplomatic body. Agrees with this view. Mokri has promised to obtain release of Aissa's relations and to urge that latter should have a proper trial	241
232	„ „ ..	179	25,	Mokri. Arrived at Tangier on 21st August. He will proceed to Paris in about a month to negotiate various matters, including a further loan	242
233	„ „ ..	180	28,	Harbour works at Tangier and Casa Blanca, and telegraphic communication with Laraiche, Rabat, &c. (see No. 230). Conversation with Mokri, who proposes to discuss Tangier harbour with Société marocaine. French desire to give Casa Blanca contract to same company. Sultan has approved recommendation of diplomatic body with regard to telegraphs ..	243
234	„ „ ..	182	28,	Spain and Morocco. Sultan unable to accept Spanish proposals, especially in regard to custom-house at Ceuta and establishment of police force outside that place. He agrees, however, to various other proposals	243
235	„ „ ..	184	28,	Prisons. Refers to No. 226. Mokri very anxious to introduce reforms. Tangier prison is to be taken in hand at once ..	244

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236	Sir F. Bertie ..	327	Sept. 2, 1910	Claims Commission. Refers to No. 197. French Government agree with Mr. White's views respecting payment by Makhzen of costs in arbitration in cases awarded against them. M. Regnault will ask Moorish Minister of Finance to borrow necessary money from State Bank ..	245
237	Mr. White ..	47 Tel.	7,	Spain and Morocco. Mokri very perturbed at Spanish military preparations at Ceuta and wishes His Majesty's Government to make representations at Madrid. M. Regnault shares Mokri's anxiety	246
238	To Sir F. Bertie ..	295 Tel.	8,	Spain and Morocco. Refers to No. 237. He should enquire how French Government regard situation and whether they would like His Majesty's Government to make representations at Madrid	246
239	To Mr. White ..	26 Tel.	8,	Spain and Morocco. Refers to No. 237. French Government are being consulted as to desirability of representations at Madrid	246
240	Sir F. Bertie ..	62 Tel.	9,	Spain and Morocco. Refers to No. 238. French Government would be grateful if friendly representations could be made at Madrid	246
241	Mr. White ..	48 Tel.	9,	Spain and Morocco. Refers to No. 237. Spanish chargé d'affaires has communicated statement of Spanish grievances and claims to Mokri and said that Spanish Government would adopt necessary measures to attain their object	247
242	To Sir M. de Bunsen	24 Tel.	10,	Spain and Morocco. Refers to No. 240. His Majesty's Government are seriously concerned at report that Spanish Government are considering forcible measures. They understand that Makhzen are disposed to act reasonably, and they are ready to instruct Mr. Lister to help in finding a solution. They feel bound to warn Spanish Government of serious consequences of any hasty action on their part. He should communicate in this sense with Spanish Government ..	247
243	Mr. White ..	49 Tel.	11,	Spain and Morocco. Refers to No. 241. Sultan has ordered Mokri to proceed to Madrid with a letter to King of Spain and to endeavour to negotiate an amicable settlement. Mokri requests this may be mentioned at Madrid	248
244	„ „ ..	188	4,	Prisons. Refers to No. 235. Mokri's son, the Basha of Tangier, is personally inspecting the prison and taking steps to cleanse it, provide prisoners with food, &c.	248
245	Sir F. Bertie ..	65 Tel.	12,	Spain and Morocco. Refers to No. 242. Instructions sent to Madrid are in entire conformity with wishes of French Government, and M. Pichon is much obliged ..	248
246	Mr. C. Russell ..	34 Tel.	12,	Spain and Morocco. Refers to No. 242. He has carried out instructions. Spanish Minister for Foreign Affairs said that relations were very strained, but Spanish Government had presented no ultimatum and there was at present no question of forcible measures. Spanish Ambassador in London is to communicate full account of questions at issue	248

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247	To Mr. White ..	133	Sept. 12, 1910	Société marocaine. Refers to Nos. 232 and 233. Transmits copy of No. 230. Considers that company's schemes are a distinct breach of Algeciras Act. But there is force in argument that, failing some such scheme, progress will be barred in Morocco from lack of funds. Requests his views	249
248	To Sir M. de Bunsen	25 Tel.	13,	Mission of Mokri to Madrid. Refers to No. 343. If he sees no objection he should communicate with Spanish Government in sense desired by Mokri ..	250
249	Mr. C. Russell ..	35 Tel.	14,	Mission of Mokri. Refers to No. 248. Spanish Minister for Foreign Affairs welcomes mission provided Mokri comes in spirit of conciliation	250
250	To Mr. White ..	134	14,	Prisons. Refers to No. 235. Expresses gratification at prospect of reform. He should send in about six months' time report suitable for communication to Howard Association	250
251	Mr. White ..	190 Confidential	7,	Spain and Morocco. Expands No. 237. Conversation with Mokri as to feared Spanish advance on Tetuan. Belief generally held that Spain contemplates military action. In that event situation of Europeans in Tangier might become serious	250
252	To Mr. White ..	136	15,	Aissa. Refers to No. 231. Agrees that private negotiations will be the best means to gain desired end. Would be glad to hear result of Mokri's endeavour to obtain release of Aissa's family ..	252
253	Mr. White ..	51 Tel.	16,	Kaïd Maclean's claims (see No. 255). Loan claim has been passed by commission. Hopes to be able to compromise as regards other claims	252
254	„ „ ..	191 Confidential	9,	Spain and Morocco. Expands No. 241. Conversations between Mokri and Spanish chargé d'affaires as communicated by Mokri. Latter thinks situation critical. Transmits copy of Spanish proposals for settlement of difficulties, and Moorish reply	252
255	„ „ ..	192	10,	Kaïd Maclean's claims (see No. 253). Difficulties in connection with loan claim. French Minister has supported him in pointing out that claim is so clear that it is waste of money to send it to arbitration	261
256	„ „ ..	194 Confidential	11,	Mokri's mission to Madrid. Expands No. 243. Spanish chargé d'affaires seemed upset at the news	262
257	To Sir H. Maclean ..	..	20,	Kaïd Maclean's claims (see No. 253). Loan claim has been passed. There is no need for him to return to Tangier, but Sir E. Grey would not oppose it provided he lives in Morocco as a private citizen and refrains from seeking public or political employment	262
258	Sir M. de Bunsen ..	124	16,	Spain and Morocco. Conversation with Spanish Minister for Foreign Affairs, who reviewed general situation of Spain as regards Morocco, and stated that consolidation of French influence in Morocco constituted a most formidable problem for Spain	263

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259	Note communicated by M. Daeschner	..	Sept. 22, 1910	Mining law. French representatives have been instructed to communicate law to Governments who signed Algeciras Act but did not take part in Paris Conference. Suggests that British representatives should inform Governments in question of importance of early agreement on the subject	264
260	Mr. White ..	196	15,	Mokri's mission to Madrid. Refers to No. 256. Spanish chargé d'affaires has informed Mokri that Spanish Government will be glad to receive him as Special Ambassador. He will leave for Madrid next week accompanied by Cid Ali Zaky..	264
261	„ „ ..	198	16,	Aissa. Refers to No. 231. Sultan has consented to release all the prisoners except Aissa himself. A tribunal will be appointed to examine properly charges against Aissa. Mokri states that Sultan has given positive assurances on subject of cruelties ..	264
262	„ „ ..	199	16,	Prisons. Refers to No. 244. Prisons at Tangier have been placed on a proper footing, and medical officer of Sanitary Council will inspect them weekly. Mokri is giving similar instructions as regards the ports	265
263	„ „ ..	200 Confidential	17,	Spain and Morocco. Spanish Government have requested recall of present Moorish envoy at Madrid. Mokri has requested his advice and that of M. Regnault. They have both said that as Mokri is going himself there is no advantage in keeping present envoy at Madrid. Question of custom-house at Ceuta	265
264	„ „ ..	201	18,	Mulai-el-Kebir. Reconciliation effected between El Kebir and his brother the Sultan. This will strengthen latter's position in Taza district..	266
265	Board of Trade ..	..	26,	Société marocaine (see No. 230). In the event of more adequate representation of British interests it might be advisable to approach the leading firms of British contractors. If such firms are unwilling to participate, Board doubt desirability of supporting company officially	266
266	To Sir M. de Bunsen	111	29,	Spain and Morocco. Refers to No. 258. Approves his language. Discusses arguments of Spanish Minister for Foreign Affairs as to necessity for occupying heights dominating Ceuta	267
267	To M. Cambon ..	..	30,	Mining law. Refers to No. 259. Instructions have been sent to British representatives to urge Governments to signify their approval of law	267
268	Mr. Norton ..	..	28,	Société marocaine (see Nos. 215* and 230). Company understand that His Majesty's Government are blocking their scheme for lighthouse contract. Enquires what are objections. Transmits memorandum on subject	267

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269	Circular letter addressed to Sir F. Cartwright (No. 89), Sir A. Hardinge (No. 70), Mr. Bryce (No. 298), Sir R. Rodd (No. 113), Sir G. Buchanan (No. 104), Sir F. Villiers (No. 67), Mr. O'Beirne (No. 265), and Sir C. Spring-Rice (No. 76)	..	Oct. 1, 1910	Mining law (see No. 267). His Majesty's representatives should express earnest hope that Governments to which they are accredited will approve law ..	268
270	Mr. Lister.. ..	203	Sept. 21,	Société marocaine. Refers to No. 247. Discusses question, with special reference to lighthouse proposals. Considers that it would be inadvisable to support demand of company for a grant of comprehensive concession of public works in general ..	269
271	Mr. White ..	206	24,	Protection. Refers to Nos. 182 and 192. Transmits memorandum addressed to diplomatic body by Mokri complaining of abuses, and his observations on memorandum	272
272	Mr. Lister.. ..	55 Tel.	Oct. 6,	Spain and Morocco (see No. 246). Mokri fears that he will be obliged to break off negotiations at Madrid, and that Spanish Government will then present an ultimatum at Fez	276
273	To Sir M. de Bunsen	113	6,	Spain and Morocco. Conversation between Spanish Ambassador and Sir A. Nicolson. Former stated that Mokri declined to agree to Spanish demand for custom-house at Ceuta and recruiting of native police force for vicinity of Ceuta. Spain would not withdraw from these demands	277
274	Sir G. Buchanan ..	136	5,	Mining law. Has carried out instructions contained in No. 269. Netherlands Government will reply as soon as they learn views of Dutch firm largely interested in Moorish mining industry	277
275	Sir M. de Bunsen ..	38 Tel.	7,	Spain and Morocco. Refers to No. 272. Spanish Minister for Foreign Affairs has hopes of successful settlement, and apparently ultimatum is not imminent. Has repeated hope that Spain would make no demonstration in force in neighbourhood of Ceuta	278
276	„ „ ..	39 Tel. Confidential	8,	Spain and Morocco. Conversation with Mokri, who expects that negotiations will fail, and that Makhzen will be compelled to appeal to good offices of Great Britain and France to attain a settlement ..	278
277	„ „ ..	41 Tel. Confidential	10,	Spain and Morocco. Conversation between French Ambassador and Mokri. Former thinks it difficult for Makhzen to yield in the matter of Ceuta custom-house, but Spanish Government might well press for payment of small indemnity	278
278	Memorandum by Mr. Wellesley	..	10,	Public works in Morocco. Interviews between Mr. Wellesley and representatives of Sir J. Jackson, Messrs. Pearson, Messrs. C. H. Walker, and Messrs. Harland Bowden. Firms quite ready to do business in Morocco if security and guarantee were good ..	279

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279	Sir R. Rodd ..	116	Oct. 6, 1910	Mining law. Has carried out instructions contained in No. 269. Italian Government have authorised their representative at Tangier to approve law	280
280	Sir M. de Bunsen ..	43 Tel.	12,	Spain and Morocco. Agreement has been reached respecting nomination of kaids in Riff. French Ambassador is urging moderation on both parties	280
281	„ „ ..	45 Tel. Confidential	12,	Spain and Morocco. Agreement reached respecting policing of Ceuta frontier ..	281
282	„ „ ..	47 Tel. Confidential	14,	Spain and Morocco. Payment of police forces round Melilla and Ceuta. No agreement reached as regards latter. Spanish Government consider to-day's meeting most unsatisfactory	281
283	Mr. Lister.. ..	214	6,	Moulai-el-Kebir (see No. 264). El-Kebir arrived in Tangier on 5th October, and is to proceed to Fez. He is very nervous as to his reception there	281
284	„ „	215 Very Conf.	8,	Spain and Morocco. Conversation with French Minister, who is convinced that Spanish Government secretly hope to create an incident somewhere in Morocco	282
285	„ „	216	8,	Société marocaine. Refers to No. 270. Conversation with French Minister, to whom he pointed out that chief objection was small proportion of British capital in the company. French Minister himself rather lukewarm as regards company ..	282
286	Sir C. Spring-Rice ..	133 Confidential	11,	Mining law. Refers to No. 269. Swedish Government have already approved law. German Minister has been somewhat energetic in demanding its immediate acceptance	283
287	Sir M. de Bunsen ..	49 Tel.	15,	Spain and Morocco. Spanish Minister for Foreign Affairs demands 125,000,000 pesetas indemnity. Discussion of question has been postponed. Suggests that Mokri should be advised to recognise principle of indemnity, leaving amount to be fixed by arbitration	284
288	„ „ ..	137	12,	Spain and Morocco. Speeches by President of the Council in both Chambers, reviewing relations between the two countries ..	284
289	Earl Granville ..	122	15,	Mining law (see No. 269). Belgian Government accept law	285
290	Sir F. Bertie ..	80 Tel.	17,	Spain and Morocco (see No. 287). French Government consider Spanish demands, especially war indemnity, excessive, and hope that His Majesty's Government will advise Spain to make a considerable reduction	285
291	Mr. Lister	57 Tel.	17,	Spain and Morocco. Refers to No. 287. It may be considered desirable that principle of indemnity be recognised by Moorish Government in order to effect a settlement, but case of Spain is different from that of French at Casa Blanca, as Spaniards were entirely responsible for Melilla incident	286

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293	Mr. Rennie ..	50 Tel.	20,	Spain and Morocco. Refers to No. 287. Mokri ready to accept principle of indemnity if amount were submitted to arbitration. Minister for Foreign Affairs absolutely refuses to hear of intervention of a third Power, and has given Mokri two days to consider question. If Mokri is not ready by then to discuss amount, his mission will be considered at an end ..	288
294	To Sir F. Bertie ..	367 Tel.	20,	Spain and Morocco. He should approach French Government in sense indicated in No. 295. He should also inform French Government of Spanish Ambassador's statement that his Government would not raise difficulties about indemnity if Ceuta customs and police questions were satisfactorily settled	288
295	To Sir M. de Bunsen	31 Tel.	20,	Spain and Morocco. Refers to Nos. 287 and 293. His Majesty's Government have no intention of interfering officially, but he might have private conversation with Spanish Minister for Foreign Affairs and advance arguments contained in No. 290 as his own. French Government are being asked to instruct French Ambassador to discuss matter privately with Minister for Foreign Affairs	289
296	„ „	33 Tel.	21,	Spain and Morocco. Refers to No. 295. Informs, for his guidance, that Moorish Government would probably consent to rectification of neutral zone at Ceuta and territorial concession at Melilla. Probable that no objection would be raised to custom-house at Ceuta if Spanish Government allowed revenues to be made additional security for loans already existing..	289
297	Mr. Lister.. ..	218	14,	Moulai-el-Kebir. Refers to No. 283. Kebir escaped and fled into Anjera. He was recaptured, and has now left for Fez ..	290
298	„ „	219	16,	Aissa. Refers to No. 261. Aissa and his brothers have been released. Their properties will be restored to them, but they will have to pay money to Sultan and Glawi	290
299	„ „	220	16,	Claims Commission. Refers to No. 141. Sub-commissions have concluded their labours. Out of 175 British claims 99 have been settled, 9 have been suspended, and 42 are expected to go to arbitration ..	290
300	Sir F. Bertie ..	84 Tel.	21,	Spain and Morocco. Refers to No. 294. Has carried out instructions. French chargé d'affaires at Madrid will be instructed to concert with his British colleague. M. Pichon fears Spaniards are contemplating a *coup* at Ceuta, which would result in serious complications ..	291
301	„ „ ..	85 Tel. Secret	21,	Spain and Morocco. Refers to No. 300. M. Pichon has reminded Spanish Ambassador of secret convention of 1904, and stated that France must insist on observation of that undertaking	292

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303	„ „ ..	52 Tel.	23,	Spain and Morocco. Mokri has accepted principle of indemnity. Spanish Minister for Foreign Affairs has reduced amount to 85,000,000 pesetas, and accepted mining tax as guarantee	293
304	Memorandum communicated by Señor Villa Urrutia	..	25,	Spain and Morocco. Memorandum handed to French Minister for Foreign Affairs by Spanish Ambassador in Paris relative to Ceuta custom-house	293
305	Sir M. de Bunsen ..	53 Tel. Confidential	25,	Spain and Morocco. In reply to Spanish demand for indemnity of 80,000,000 pesetas, Mokri declared Makhzen could not pay more than 25,000,000 pesetas, and suggested reference to Hague Tribunal. Spanish Minister for Foreign Affairs wanted to break negotiations off on the spot, and talks of seizing Sierra Bullones..	293
306	Mr. White ..	58 Tel.	25,	Spain and Morocco. Suggests that, instead paying an indemnity, Morocco should cede territory near Melilla	294
307	To Sir M. de Bunsen	127	25,	Spain and Morocco. Records conversation between Spanish Ambassador and Sir A. Nicolson. Questions of police force, Ceuta custom-house, and indemnity. Sir A. Nicolson deprecated any hasty action on the part of Spain	294
308	Mr. White.. ..	2214	20,	Société marocaine. Refers to Nos. 270 and 285. Transmits letter from Public Works Committee to diplomatic body, enquiring whether proposal of société in regard to lighthouses constitutes a modification of committee's programme as approved by Makhzen and diplomatic body. Views of Makhzen on lighthouse question ..	295
309	Sir M. de Bunsen ..	54 Tel. Confidential	25,	Spain and Morocco. Refers to No. 306. Mokri rejected in conversation idea of cession of territory near Spanish fortresses. Will nevertheless mention suggestion to Spanish Minister for Foreign Affairs ..	297
310	To Sir M. de Bunsen	36 Tel.	26,	Spain and Morocco. Has informed Spanish Ambassador that His Majesty's Government were very apprehensive of possible results of Spanish action in Morocco. Ambassador maintained that it was impossible to refer indemnity question to Hague, and that Moorish Government were being supported by France ..	297
311	Sir M. de Bunsen ..	55 Tel.	26,	Spain and Morocco. Mokri has submitted to Spanish Minister for Foreign Affairs statement of points to which Makhzen has agreed, and points out that only important question unsettled is indemnity. He renews offer to refer this to Hague. Makhzen are prepared to consent to Ceuta custom-house, subject to approval of bondholders	298

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313	To Mr. Carnegie ..	451	27,	Spain and Morocco. Records conversation between French Ambassador and Sir A. Nicolson. M. Pichon much perturbed at possibility of conflict in the Anjera and Spanish advance on Tetuan, and is most anxious to bring about satisfactory arrangement..	299
314	Sir M. de Bunsen ..	56 Tel. Confidential	27,	Spain and Morocco. Negotiations proceeding more hopefully. Spanish Minister for Foreign Affairs is consulting military authorities respecting territorial cession in Riff and rectification of boundary zone at Ceuta in place of full money payment ..	299
315	Mr. White ..	59 Tel.	28,	Spain and Morocco. Refers to No. 314. His suggestion was that cession of territory should take the place of any indemnity whatever. Spain desires concessions at Ceuta and Ifni. They have never occupied latter, and if they were now to open trade there it would affect injuriously southern ports	300
316	To Sir M. de Bunsen	38 Tel.	28,	Spain and Morocco. Mokri is understood to be ready to grant extension of neutral zone at Ceuta. Ambassador should impress on him desirability of conveying these proposals to Spanish Government at earliest opportunity	300
317	Sir M. de Bunsen ..	57 Tel. Confidential	29,	Spain and Morocco. Refers to No. 314. Instructions in No. 316 have been carried out. Spanish demand has been reduced to 65,000,000 pesetas and Moorish offer raised to 33,000,000 pesetas. Means of adjusting difference of 32,000,000 pesetas will be discussed at next meeting ..	300
318	„ „ ..	142 Confidential	27,	Spain and Morocco. Transmits Mokri's statement of points on which agreement has been reached (see No. 311).. ..	301
319	„ „ ..	58 Tel. Confidential	Nov. 2,	Spain and Morocco. Refers to No. 317. Spanish Government have put forward demand for territorial concessions at Ceuta and Ifni instead of full indemnity. Mokri has offered cession at Melilla, but this was refused. Mokri will endeavour at next meeting to meet Spanish demands by offering 50,000,000 pesetas	303
320	„ „ ..	143 Confidential	Oct. 27,	Spain and Morocco. Reviews course of negotiations. Explains Spanish standpoint as regards indemnity. Views of Spanish Government respecting territorial concessions. Spanish fear of consolidation and strengthening of French influence in Morocco	303
321	Memorandum communicated by M. Daeschner	..	Nov. 4,	Spain and Morocco. Views of French Government on proposed custom-house at Ceuta. Explains how interests of bondholders of 1904 and 1910 loans would be affected	305

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322	Sir M. de Bunsen ..	60 Tel.	Nov. 4, 1910	Spain and Morocco. Result of last two meetings is that there is only 5,000,000 pesetas between Moorish offer and Spanish demand, but Spanish Government insist on territorial concession behind Ceuta, which Mokri refuses	306
323	To Board of Trade ..	..	4,	Société marocaine. Transmits Nos. 230, 268, 270, 278, 285, and 308. Sets forth views of Foreign Office regarding proposals of société and invites expression of Board's views	306
324	Mr. Lister	223 Confidential	Oct. 28,	Spain and Morocco. Payment of any indemnity by Morocco open to grave objections, as country is already in great financial straits. Suggests that part of territory near Melilla now occupied by Spain should be ceded by Morocco instead. Discusses proposed cession of territory at Ifni	309
325	„ „	225	29,	Alcazar. Probability of disturbances owing to intrigues of Rimiki against Raisuli. Reported rising in Sus against Glawi. Sultan has recalled troops which were to have gone to Taza	310
326	Sir M. de Bunsen ..	61 Tel.	Nov. 6,	Spain and Morocco. Situation critical. Spanish Government prepared to break off negotiations rather than agree to settlement about Ceuta, which they consider insufficient	310
327	„ „ ..	62 Tel.	7.	Spain and Morocco. French have consented to custom-house behind Ceuta, subject to certain conditions. This will greatly appease Spanish Government	310
328	To Sir M. de Bunsen	40 Tel.	7,	Spain and Morocco. Spanish Ambassador has been informed that His Majesty's Government are anxious to see a settlement and will raise no objections, but they can do little if France and Spain cannot agree. He should inform his French colleague of above	311
329	Sir M. de Bunsen ..	147	5,	Spain and Morocco. Conversation with Spanish Minister for Foreign Affairs, who was very pessimistic as to negotiations. Ambassador repeated suggestion for extension of neutral zone outside Ceuta to include Sierra Bullones, which was very different from a territorial concession at Ceuta	311
330	„ „ ..	148	7,	Spain and Morocco. Transmits memorandum showing Spanish demands in regard to Ceuta. Failing a satisfactory settlement of these demands, Spanish Government would prefer to abandon negotiations	312
331	„ „ ..	149	7.	Spain and Morocco. Refers to No. 330. Spanish Government do not regard frontier region in which kaïd is to exercise authority as representing frontier region mentioned in articles 30 and 103 of Algeciras Act. They consider latter should extend much farther	314

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332	Sir M. de Bunsen ..	64 Tel. Confidential	Nov. 11, 1910	Spain and Morocco. Refers to No. 328. Mokri had agreed to frontier kaïd exercising authority over whole region of heights threatening Ceuta. French Government, however, object to his authority being extended beyond Sierra Bullones. Mokri will thus have to withdraw what he had conceded, and agreement will be rendered very difficult.	315
333	Mr. Lister. . ..	232 Confidential	5,	Alcazar. Refers to No. 325. Attempted revolt by partisans of Rimiki against Raisuli. Attitude of French chargé d'affaires, who seemed anxious to support rebels	315
334	Sir M. de Bunsen ..	65 Tel.	13,	Spain and Morocco. Agreement reached on all points of importance except extent of authority of Ceuta frontier kaïd and police	317
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355	Memorandum communicated to Mr. Norton	..	14,	Société marocaine (see Nos. 230, 323, and 348). His Majesty's Government cannot support syndicate in view of inadequate participation of British capital. This objection does not apply to question of lighthouse contract, but His Majesty's Government do not approve of proposal that management of lighthouses should be vested in a private company	353
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360	Mr. Lister	243	9,	Road tolls at Mogador. Refers to No. 350. He has laid matter before diplomatic body. Transmits copy of note addressed to Mokri by doyen, calling attention to the abuse, and proposing a fixed tariff for the "n'zalas." There is no doubt that Sultan and Glawi pocket a large share of proceeds	356
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CONFIDENTIAL.

Further Correspondence respecting the Affairs of Morocco.

Part 41.

[13] No. 1.

Mr. Lister to Sir Edward Grey.—(*Received January* 1, 1910.)

(No. 309.)

Sir, *Tangier, December* 24, 1909.

THERE is now absolutely no doubt that Mulai-el-Kebir has entered Taza, and has sacrificed at all the chief sanctuaries in the Riata district. Si Mahboob, who is his maternal uncle, and whose brother is one of Mulai-el-Kebir's right-hand men, has consequently been recalled to Fez, and the command of the mehalla operating against the Hyaina has been given to a man who served as secretary and general factotum to the young Glawi. I often saw him at Fez, but he did not by any means give me the impression of a warrior.

Rumour in Fez has it that Mulai-el-Kebir has produced letters to the tribes from Mulai Abdel Aziz bearing his seal, and professes to be acting only as his khalifa. Dr. Verdon writes that the Sultan appears to be considerably upset at the confirmation of the news of his brother's arrival at Taza, which had been reported often before and always proved untrue.

I have, &c.
REGINALD LISTER.

P.S.—Since writing the above I learn on the best authority that Muhieddin, the grandson of the famous Abdelkader, has also joined Mulai-el-Kebir, and that they are trying to unite various Berber tribes near Taza against Mulai Hafid. Beyond Taza, the son of Bu Amama, one of the great chiefs in the vicinity of Oujda, is also reported to be raising a force to join Mulai-el-Kebir. The general opinion amongst the Moors here is that the French are not foreign to all this hostile agitation, and see in it a means either of getting rid of Hafid altogether, or at all events of exercising pressure upon him. In any case, with or without their connivance, a continuous chain of disaffection now extends by successive links as far as the Algerian frontier.

R. L.

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[727] No. 2.

M. Daeschner to Sir Edward Grey.—(*Received January* 7.)

Ambassade de France, Londres,
le janvier 5, 1910.

M. le Secrétaire d'État,

J'AI l'honneur de vous adresser ci-inclus une note reproduisant les vues de mon Gouvernement à l'égard des observations contenues dans le mémorandum adressé par votre Excellence à cette ambassade le 10 décembre dernier au sujet du projet de Règlement minier marocain préparé par la commission officieuse réunie à Paris.

Cette communication répond au désir que vous avez bien voulu exprimer à M. Paul Cambon par une lettre du 22 décembre.

Veuillez, &c.
E. DAESCHNER.

Enclosure in No. 2.

Note by French Embassy respecting Draft Moroccan Mining Regulations.

LES observations du Gouvernement britannique ne touchent en rien le fond même des textes, et l'accord devra pouvoir se faire aisément à leur égard par entente directe des délégués des deux pays à la commission.

Sur deux points, cependant, le mémorandum britannique nécessite une mention spéciale.

Le premier de ces points fait l'objet du paragraphe 4 du mémorandum. Il se rapporte sans doute à l'article 64 du projet de règlement, qui traite des sociétés auxquelles pourrait être donné un privilège spécial pour acquérir, par voie de préférence à tous autres, pour une durée de neuf ans au plus, des droits miniers dans une région déterminée, à charge par la société d'établir et d'exploiter certains ouvrages publics utiles à l'exploitation des mines de cette région.

Le Gouvernement de Sa Majesté, qui se déclare en principe opposé à une clause de cette nature, paraît croire qu'elle a été introduite en vue d'en faire bénéficier un groupe déterminé, un syndicat déjà constitué à cet effet. Ce serait là une interprétation erronée, et le délégué français à la conférence a eu soin de déclarer qu'il faisait abstraction, en défendant cette clause, d'accord avec les représentants allemand et espagnol, de tous intérêts particuliers et qu'il ne voulait pas connaître.

L'article 64 n'a pas pour objet de masquer sous une forme réglementaire une concession particulière déjà convenue ; elle constitue l'application d'un principe général qu'il a paru bon d'insérer dans le règlement à l'étude, puisqu'il est destiné à s'appliquer dans un pays comme le Maroc, où le Gouvernement ne pourra ou ne voudra de longtemps encore établir les ouvrages publics que peut nécessiter l'exploitation industrielle d'un district. C'est, sous une forme appropriée au pays, l'application de l'idée qui, en Tunisie, a permis la constitution d'entreprises qui ont grandement contribué à la mise en valeur du pays, telle que celle de Gafsa, et qui, en Algérie, va permettre l'exploitation du Djebel Ouenza. On pourrait citer, avec des formes différentes que justifie la diversité des conditions, d'autres applications d'une idée analogue dans les colonies allemandes. Il va de soi que l'institution de pareils privilèges doit être convenablement limitée et entourée de garanties appropriées. Mais il semble à cet égard que l'article 64 stipule tout ce que l'on pourrait raisonnablement demander pour le Maroc, et la limitation générale des surfaces réclamée avec tant d'insistance, et judicieusement d'ailleurs, par le Gouvernement anglais, qu'édicte l'article 63, complète au regard des tiers ce système de garanties.

Le second point concerne le paragraphe 6 du mémorandum. Après avoir indiqué l'accord complet du Gouvernement anglais avec les idées du Gouvernement français sur l'inanité en droit des prétentions des Mannesmann, le mémorandum fait observer que l'article 60 c permettra, néanmoins, aux Mannesmann d'obtenir en fait tout ce qu'ils ont demandé. Peut-être le Gouvernement britannique n'a-t-il pas pris suffisamment garde aux conditions radicalement différentes des Mannesmann suivant qu'ils sont demandeurs pour des raisons de fait en vertu de l'article 60 c, ou demandeurs en droit conformément à l'article 60 A. Dans ce dernier cas, ils devraient recevoir avant tous autres tout ce qui leur avait été accordé antérieurement en droit, sans autre formalité que de faire la preuve juridique de leur droit et de payer 20 centimes par hectare de terrain par eux demandé pour les frais de la procédure arbitrale. Mais demandeurs de fait d'après l'article 60 c, les Mannesmann ne passent qu'après les demandeurs de l'article 60 B, ceux qui ont acquis une situation de fait, un droit moral, comme on l'a dit ; leur demande n'implique pas nécessairement une attribution corrélative ; le tribunal arbitral apprécie discrétionnairement. En outre, aucune demande pour un périmètre quelconque ne serait recevable sans que les Mannesmann ne l'aient au préalable marqué matériellement sur le sol ; il faut en fournir les plans et verser 40 centimes par hectare de terrain sollicité, sans qu'en aucun cas cette somme puisse être remboursée. Enfin, si le nombre des périmètres de recherche qui peut être ainsi alloué et détenu pendant trois ans n'est pas limité, l'ensemble des permis

d'exploitation définitifs que l'on pourrait acquérir par cette voie serait limité par la clause générale de limitation de l'article 63.

Les différences sont donc considérables, et c'est pour cette raison qu'il avait paru équitable d'accueillir la proposition du délégué allemand d'où est sorti l'article 60 c, qui n'a d'ailleurs de raison d'être que dans la pensée que les Mannsemann ne peuvent se prévaloir d'aucun droit.

Quant aux autres points du mémorandum britannique, l'intérêt des questions qu'ils indiquent n'est pas douteuse et elles ont été signalées à l'attention du délégué français à la commission afin qu'il s'entende à leur sujet avec le représentant du Gouvernement de Sa Majesté sur les bases fournies par le mémorandum.

Ambassade de France, Londres,
le 5 janvier, 1910.

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No. 3.

Mr. Lister to Sir Edward Grey.—(*Received January* 8, 1910.)

(No. 311. Confidential.)

Tangier, December 31, 1909.

Sir,

HIS Majesty's Ambassador at Madrid has sent me a copy of his despatch No. 286, Confidential, of the 26th instant, reporting a conversation with the German Ambassador on the subject of the claims of Messrs. Mannesmann in respect of mining concessions in Morocco.

As I had the honour to report in my telegram No. 126 of the 28th instant, Mr. Harris told me that morning that the Union des Mines had been informed by the German Government that a violent attack was expected to be made upon the Minister for Foreign Affairs in the Reichstag on account of the attitude which he had taken up in the matter, and that they were most anxious, in order to strengthen M. de Schoen's position, that all groups or individuals interested in mining in Morocco should adopt measures for the protection of their interests, either through the press or otherwise.

Mr. Harris told me that he had telegraphed full details to Mr. Chirol. He was also on his way to see the French chargé d'affaires and the Spanish Minister on the subject. He was not going to the German Minister, as since their acid correspondence on the same subject in the spring their relations have been somewhat strained. On the following morning M. Merry del Val came to see me and asked me what I had done in the matter. I told him of the telegram that I had sent to you, and he said that he should telegraph to his Government. The Duc de Tovar had unfortunately, contrary to the advice given to him by M. Merry del Val, joined the Mannesmann group, and this rendered the position of the Spanish Government more difficult—it placed them, to some extent, in the same hole with the German Government, and open to the same attacks by the Spanish Chauvinists.

I saw the German Minister to-day and he told me that the matter was giving him a great deal of trouble. The German Government had got themselves into a very awkward position, and he did not see how they were going to extricate themselves from it. In the past the Mannesmanns had undoubtedly succeeded in getting round Prince Bülow, and instructions had been sent to the legation here to support them. Then the German Government, without realising how far they were bound to the Mannesmanns, decided to support the Union des Mines, and the inevitable struggle between the two groups ensued. His instructions became more and more complicated. He was to support Mannesmann under certain conditions, in certain eventualities, up to a certain point, &c., the result was that his attitude to outsiders became inexplicable. He realised that the one solution lay in an amalgamation between the two, and he had done his utmost in the summer to bring this about. The Union des Mines had done their best to facilitate this amalgamation, offering very generous terms, and he attributed its failure entirely to Mannesmann, whose pretensions had been ridiculous. Now it would be far more difficult to bring it about, and the terms offered by the Union des Mines would necessarily be far less favourable. He had, before leaving Berlin, warned the Foreign Office that they were making a terrible mistake in sending a German to Paris on an International Commission to discuss the Mining Law before they had come to a clear settlement between the rival claims of their own subjects. They had, however, paid no attention to his warning, with the result that they were faced with the present situation.

The German newspaper of Tangier has been reproducing all the articles supporting Mannesmann, and Dr. Rosen told me that he had sent for the editor that morning and protested against the attitude assumed by his paper, which was in reality hostile to the German Government. The editor, however, had replied that he was free to write what he liked, and that moreover the paper had been bought by the Brothers Mannesmann, and he would publish what they told him to.

I have, &c.
REGINALD LISTER.

P.S. *January* 2, 1910.—Considerable importance is added to the accession of the Duke of Tovar to the Mannesmann group by the fact that he is a brother of the Count Romanones, one of the most powerful supporters of the present Government. Señor Moret moreover was the lawyer employed by the Spanish company. M. Perez Caballero, however, appears to have disregarded any such considerations, as Mr. Harris informs me that M. Merry del Val told him on the 31st ultimo that he had received a telegram from his Government instructing him to do all he could to further Mr. Harris's wishes in the matter. He has, I believe, sent for the editors of the Spanish papers and instructed them to write in support of the attitude taken up by M. de Schoen. I hope he may be more successful than Dr. Rosen.

R. L.

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No. 4.

Mr. Lister to Sir Edward Grey.—(*Received January* 8, 1910.)

(No. 312.)

Tangier, December 31, 1909.

Sir,

AS I reported in my telegram No. 123 of the 12th instant, the Commissioner for Foreign Affairs asked Mr. Irwin to go and see him on the preceding evening. He told him that he had received instructions from the Sultan to do all he could to induce His Majesty's Government to receive the Moorish mission. Mokri's hand, he said, would be greatly strengthened thereby in dealing with the French. Reading between the lines of the Sultan's instructions, Guebbas said that he gathered that His Majesty was making a last appeal to England to stand by him, and to save him from the state of affairs which must be created were he to accept the loan. In this connection I would state that Mr. Harris informed me about a week before that he knew for a certain fact that Mannesmann had been to the German Minister on the Sultan's behalf and begged for his assistance against the French. Dr. Rosen had replied that the views of his Government coincided absolutely with those of the French Government with regard to the loan, and that the only advice he could give the Sultan was to accept it without more ado. Mr. Harris telegraphed this to the "Times," but Dr. Rosen has never alluded to it in conversation with me. The French chargé d'affaires thinks it may very likely be true.

Guebbas asked me to fix a day on which I could receive him in connection with the Sultan's request for the reception of the mission, and, after receiving your telegram No. 58, I asked him to come to the legation. I previously discussed the whole matter with the French chargé d'affaires, who shared my opinion that it would be far better to tell the Sultan frankly the reason for the non-reception of the mission, and make use of the opportunity to make him feel that he alone was responsible for any diminution in the cordiality of our relations. He also expressed his gratitude for what I proposed to say with regard to the complete agreement between the British and French Governments.

Guebbas came to see me on the 16th instant, and I was convinced, although he prevaricated very freely, that he had never passed on to the Sultan the confidential message given him by Mr. White, or, if he had done so, that it had reached His Majesty in a very attenuated form.

I told him I could hold out no hope of the mission being received for the reason previously given to him confidentially by Mr. White when he handed to him the note which he had addressed to Cid Aissa-ben-Omar, and I added that, even had that reason not existed, the attitude of the Sultan towards British interests and claims and the disregard shown by his officials of the rights of British subjects and protégés would have rendered it impossible. With regard to what he said as to strengthening Mokri's hand in Paris, it was very much better that the Sultan should realise at once that the British and French Governments were in complete agreement with regard to

the loan and in all questions concerning Morocco. It was quite useless for His Majesty to imagine that he could look to us for support in his resistance to the French. Guebbas, who began to be very nervous, said that all that the Sultan desired was to see the cordial relations which had existed between the British Government and his father Mulai Hassan re-established. I replied that, as I told the Sultan at Fez, the matter rested entirely with him. His Majesty's Government equally desired that the relations between the two countries should be as cordial as in the past, but in order that that should become possible there would have to be a considerable change in the conduct of the Sultan and of his Government.

Guebbas then said that no one more than he deplored the attitude of the Sultan. His situation, however, was a most difficult one. He had already incurred the Sultan's displeasure, and his position was very shaky. He had hoped that he might succeed in overcoming the objections of His Majesty's Government to the reception of the mission. That would no doubt have restored him to favour, as the Sultan was evidently most anxious on this point. He now realised that it was impossible, but he begged me to write him a note or memorandum, stating clearly the reasons for the refusal to receive the mission, which he could communicate to the Sultan, and in which it might be made evident that he had spared no pains to carry out the Sultan's instructions, and that the failure of his representations was not due to any lack of zeal on his part. He asked also that he might consider my remarks as the expression of my views, as he had not reported to the Sultan his conversation with Mr. Irwin, and that the written communication, which of course would be identical in all respects, might be considered to be the expression of the views of my Government. I agreed to this.

M. de Saint-Aulaire called a day or two after and told me that Guebbas had been to him and begged him to use his influence with me to induce me to make out as good a case as possible for him. In fact, this was all the old gentleman seemed to think or care about. He was not in the least upset at the unpleasant things I had said about the Sultan or his Government; in fact, he said that he thought it would be most excellent that the Sultan should be told straight out the real reasons for the refusal of His Majesty's Government, and that a certain amount of plain speaking with regard to his general attitude would have a very salutary effect.

On receipt of your telegram No. 60 of the 20th December I indited a note, which I was only able to present to Guebbas yesterday owing to the suspension of all business on account of the feast. It contained an allusion to the confidential communication made to him by Mr. White, and this he implored me to take out. He admitted that he had never passed it on to the Sultan, that he had thought that it would only do harm at that moment, &c., but that now, if the Sultan found out that he had withheld it from him, he would be furious, and he, Guebbas, would be placed in a very serious position. In accordance with your telegram No. 61, I have altered the wording of the note, and now have the honour to enclose a copy of it in the form in which it will be sent in to-morrow. I have read it to the French chargé d'affaires, who expressed his entire approval, and seems to have taken a leaf out of our book, as I hear that Guebbas told Menebhi that the language held by His Majesty's Government was very stiff, but he added that it was nothing compared to the attitude adopted by the French during the last few days, which forms the subject of a subsequent despatch.

I have, &c.
REGINALD LISTER.

Enclosure in No. 4.

Note verbale communicated to Cid Guebbas by Mr. Lister.

(After compliments.)

ON the 16th December your Excellency called upon me and told me that you were instructed by the Sultan to do all in your power to prevail upon His Majesty's Government to receive the Moorish mission. You gave me to understand that the position of El Mokri would thereby be considerably strengthened. You developed at great length and with great eloquence all the arguments which could be adduced in support of His Majesty's desire, and you appealed to the long-standing friendship which had united the two Governments for generations, and assured me that the dearest wish of the Sultan's heart was that the cordial relations which had existed during the reign of his father should be renewed. Were this happy state of affairs to be restored, His

Majesty felt convinced that his negotiations with the Powers would be greatly facilitated.

I told your Excellency that, notwithstanding the eloquence with which you personally had pressed the request, I could hold out little hope of the mission being received, but that I would report your language to my Government and acquaint you with their views as soon as I received them. I have now received their reply. You will recollect that on the 14th October Mr. White handed to you a note which he had addressed to Cid Aissa-ben-Omar, informing him that no date could be fixed for the reception of the complimentary mission which the Sultan desired to send to London. It is useless for me to conceal the fact that the impression created in England by the cruelties perpetrated at Fez at the time of the defeat and capture of Buhamara had been such as to render the reception of a Moorish mission impossible, and I am to add, by instructions of my Government, that, even had this reason not existed, the attitude which the Makhzen has chosen to adopt towards us, their persistent refusal to comply with any of our requests or just demands, and the unwarrantable attacks made by their officials on the property, rights, and interests of British subjects and protected persons throughout Morocco are not calculated to incline His Majesty's Government to receive a mission, or to proceed to an exchange of compliments, the emptiness of which on the side of the Makhzen has unfortunately been only too clearly proved by the experience of the last six months.

When I had the honour of being received by the Sultan at Fez, His Majesty referred to the friendly relations which had existed between his father and the British Government, and said that, to his great regret, he noted that their cordiality had diminished. He added that his wish was to restore them to their old footing. I answered at the time that this was also the desire of the British Government, and that the matter rested entirely with His Majesty, that all that they required was some proof that he intended to give effect to the provisions of the Act of Algeciras, which he had pledged himself solemnly to respect, to do all in his power to redress the wrongs and injustices from which British subjects and protégés were suffering, and to take steps to ensure the payment of the just debts which had been owing to them for many years. I said that His Majesty's Government fully realised the difficulties of his situation. They knew that the Empire which he had been called upon to govern had been suffering from anarchy for several years, that its finances were in a deplorable condition, and that his authority over its numerous tribes was only partially established. They consequently were well aware that the process of reform and redress must be a long one; they did not ask for anything impossible, merely a proof from the Sultan at the outset of his reign that he intended to do his best to fulfil his obligations. This proof unfortunately has not been forthcoming; on the contrary, the attitude of the Makhzen has become more and more obstructive. Difficulties were placed in the way of almost all the requests which I put forward at Fez, and hardly a single one of the promises given, even those relating to matters of trivial importance, had been given effect to.

As regards the international situation, it is of course perfectly evident that the position of the Sultan would be vastly strengthened and his negotiations with foreign Powers facilitated were his relations with His Majesty's Government of the same nature as those which existed at the time of his father. This, however, is not the case, and never can become the case, as long as the Makhzen continue to pursue their present line of policy as regards Great Britain and British interests. Moreover, His Majesty's Government wish it to be clearly understood that in all questions affecting Morocco their views coincide absolutely with those of the French Government, and the only advice they can give to the Sultan is to do his best to work amicably with the latter, who loyally desire the maintenance of the integrity of the Shereefian Empire, but who are bound by the proximity of their Algerian possessions to insist upon measures being taken to restore order and security in Morocco. Their collaboration with the Makhzen can only promote the prosperity and wealth of the Empire. I am glad to hear that, as a first step in this direction, His Majesty has decided to accept the loan, which will enable him to regularise the financial position of the Makhzen with all the foreign Powers, and thus pave the way for the revival of foreign commerce which will undoubtedly result from the return to circulation of the large sums of capital of which the merchants of various nationalities have so long been deprived, and thus greatly benefit the revenues of the country.

Tangier, December 22, 1909.

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[779]

No. 5.

Mr. Lister to Sir Edward Grey.—(*Received January* 8.)

(No. 1.)

Tangier, January 1, 1910.

Sir,

CONSTERNATION prevails at the Dar-en-Niaba on account of a sudden and unwonted display of energy on the part of the French, and I hear that Guebbas himself is in a state of nervous agitation bordering upon frenzy.

Some time ago Kaïd-el-Zimrani seized and imprisoned some men of his tribe who had served for some months as soldiers in the "goum" organised by the French at Casa Blanca, and had gone to their homes on leave. The father of the men had been killed, they themselves had been grossly maltreated, and all their property had been seized by the kaïd. The matter was duly reported by General Moinier to the French Legation, and strong representations were made to Cid Guebbas, who referred it to the court. No notice, however, was taken of these representations at Fez, notwithstanding the fact that Guebbas wrote two or three times pressing for a reply. In answer to his last letter the Grand Vizier wrote that it appeared to the Sultan that he (Guebbas) had espoused the cause of the French in the matter. Guebbas was far too frightened after a message of this sort to do anything more in the matter, and the court seemed to have imagined that the incident had been forgotten. Not long ago a number of the more important southern kaïds, and amongst them El Zimrani, received permission to return to their districts. On their way through Shawia, they were met by a body of French troops and told they could proceed no further, but were to come on to Casa Blanca, as General Moinier had something to say to them. They were received by the general, who gave them a very severe lecture on their treatment of French protégés, and on their various other misdemeanours, and recommended them to mend their ways in the future, otherwise they would have to reckon with France. He then seems to have given them in a few forcible words a slight idea of what the power of France meant. Finally, he told them that they could depart, with the exception of Kaïd-el-Zimrani, whom he detained as a prisoner. The kaïds were greatly upset at the reception given to them, and one of them, an important kaïd of the Dukala, has, it is said, completely lost all power of speech in consequence. News of the incident was sent at once to court by special messenger, and reached Fez on the eve of the Moorish feast; immediate instructions were sent to Guebbas to do all in his power to obtain the release of Kaïd-el-Zimrani. He asked to see Count Sainte-Aulaire, who declined, however, to receive him as he was unwell, but let him know quite politely that the legation had endeavoured to get the matter settled through the diplomatic channel; but as they had received no answer of any kind to their representations, the matter had been taken out of his hands by the military authorities, and he had nothing more to do with it.

Guebbas, as is his custom when in difficulties, at once hurried round to Menebhi for advice, and the latter recommended him to report Count Sainte-Aulaire's reply to the court, and refer them to the correspondence on the subject, and to his letters pressing them to give a reply to the French representations.

This advice, however, was not quite to his liking, he being of a timorous nature and preferring tortuous methods, and he left Menebhi's house unconvinced. He returned, however, very shortly with a cypher telegram which he had just received, reporting that the Moorish kaïd of Figuig had been arrested by the Algerian authorities and taken a prisoner to Algeria. This fresh shock decided him to follow Menebhi's advice, and he then and there wrote to the court enclosing the cypher telegram and reporting the result of his interview with Count Sainte-Aulaire.

It appears that M. Regnault when he was at Fez protested against the appointment of the kaïd in question over the Figuig district, as the French had many grounds of complaint against him; amongst other things he was implicated in the attack upon M. Jonnart. The Sultan promised that he would not be appointed, and that he was merely returning to Figuig as a private individual. As soon as he arrived, however, he produced the official letters of the Sultan appointing him.

Kaïd-el-Zimrani has also a bad record, and perpetrated the most horrible cruelties at the time of Mulai Hafid's proclamation at Marrakesh.

I understand that the Sultan is very much upset at the arrest by the French military authorities of one of the important southern kaïds, who have always been looked upon as the especial pillars of his throne, and the tone of his letter to Guebbas is very much less arrogant than in the past. The blow to his prestige will be very

great, followed immediately as it has been by the arrest of the kaïd of Figuig at the other end of the Empire.

The arrival at Tangier, moreover, in a day or two of a very important French squadron consisting of six battle-ships will also, no doubt, produce a considerable impression on the native mind, and has evidently been made to coincide with the action of the military authorities in the Shawia and at Figuig. The whole plan has been combined and executed with great skill by the French; their action is perfectly justified and has entailed no deployment of force or expenditure of money, and its moral effect, specially in the case of the imprisonment of Kaïd-el-Zimrani, will be very great.

I have, &c.
REGINALD LISTER.

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[780] **No. 6.**

Mr. Lister to Sir Edward Grey.—(*Received January* 8.)

(No. 2. Confidential.)

Tangier, January 2, 1910.

Sir,

ABOUT three days ago the legation scribe was informed privately by one of the members of the Tangier Claims Commission that orders had come down from Fez to the effect that only actual claims against the old Makhzen were to be accepted for examination. As of course I had no official knowledge of any such orders, I continued to send British subjects having claims of whatever nature to the commission, accompanied by the legation scribe. For the first two or three days after the news reached me the commission was not sitting on account of the feast. On Wednesday last the scribe attended with a British subject having a claim for pillage, and was told that the commission had received orders not to examine any such claims. The scribe, however, insisted, and the claim was eventually accepted for examination. On Thursday I saw the Commissioner for Foreign Affairs, and, after a long conversation on other matters, he said to me that a slight alteration was being made with regard to the examination of claims; that the present commission were so overwhelmed with work that it had been decided to appoint a council to examine all claims against private persons, and that the commission would in future only examine actual claims against the Makhzen. I replied that I had arrived at Fez prepared to discuss all the claims of British subjects, and armed with all the necessary dossiers and information with regard to them; that I had been told by the Sultan that no claims could be discussed at Fez, as he had decided that they were all, whether against private persons or against the Makhzen, to be referred to the commission which he was instituting at Tangier. I further received a note from the Minister for Foreign Affairs to the same effect. I had been very much surprised at this sudden decision, but, at the Sultan's urgent request, I had agreed not to oppose it, and it was formally arranged that the claims of all British subjects should be submitted to the Tangier commission. I could not, therefore, admit now that any portion of them should be examined by a body of men of whose powers I knew nothing. If, as I imagined, the council of which he spoke was to be formed of members of the Dar-en-Niaba, and practically constitute one of its departments, I must decline absolutely to recognise it, for the experience of the last fifteen years had taught the British Legation that no case that was submitted to that office was ever settled. Guebbas replied that the council was in reality only a branch of the commission, that it had nothing to do with the Dar-en-Niaba, and that its decisions and findings would have exactly the same force as those of the original commission. I answered that if he gave me a written assurance to that effect, I might possibly agree to submitting the private claims of British subjects to it, but that until I received an assurance in writing I should continue to send down all British claims to the commission, and I must insist upon their being accepted and examined. I told my French, German, and Spanish colleagues of what I had said. They all concurred in my point of view, and the two latter told me they intended to make similar communications at once to Guebbas. The American Minister will, I believe, do the same. M. de Saint-Aulaire has always expressed the opinion that the whole commission would prove to be an absolute farce—that it was merely a dodge of the Sultan to cause obstruction and delay, and that eventually an international commission would have to be appointed, as had been done in the case of the Casa Blanca claims. This, I believe, is also the view of the Portuguese Minister. I am convinced, in any case, that Guebbas

was lying to me, and that the "council" is merely another name for the Dar-en-Niaba. I hope to be able to procure a copy of the order received by the commission on the subject. So far I have received no written communication from Guebbas, and the struggle with the commission over the acceptance of claims continues almost daily. Hitherto the scribe has always come off victorious.

I cannot help thinking that when the arrangements for the loan have been finally settled, the French will propose the appointment of an international commission, which appears to me desirable from every point of view, and this last move of the Sultan can only strengthen their case. He got out of discussing claims at Fez by appointing the commission, hoping that he would be able to resist the loan. Now that he sees that the loan is inevitable, he is trying to upset the arrangements for the examination of claims, and thus retard their payment.

I have, &c.
REGINALD LISTER.

[1086] No. 7.

Sir Edward Grey to Mr. Lister.

(No. 4.)

Foreign Office, January 10, 1910.

Sir,

I HAVE received your despatch No. 2 of the 2nd instant, and I approve your attitude in regard to the attempt of the Moorish Government to restrict the scope of the Claims Commission to actual claims against the Makhzen.

I transmit to you herewith a copy of a note from the French chargé d'affaires relative to the proposal that an international commission, similar to the Casa Blanca Commission, should be instituted to examine claims against the Moorish Government. I observe that in the last paragraph of your despatch No. 2 you express the opinion that the appointment of such an international commission would be desirable, but as the French Government appear to be strongly opposed to the idea there seems little chance of its being realised. I propose, therefore, to inform M. Daeschner that His Majesty's Government are ready to fall in with the views of the French Government, in the confident belief that when the Moorish loan is issued the necessary steps will be taken to ensure that all British claims will be promptly met. I will not do so, however, until I hear whether you have any objection, and I should be glad if you would let me know by telegraph.

I am, &c.
E. GREY.

Enclosure in No. 7.

Note by M. Daeschner.

LA Légation d'Espagne à Tanger ayant l'intention de saisir le corps diplomatique d'une proposition tendant à faire constituer une commission internationale analogue à celle de Casa Blanca pour l'examen des créances présentées contre le Maghzen, M. Pichon a envoyé au chargé d'affaires de France les instructions suivantes :—

"Il ne me paraît pas nécessaire de recourir à ce moyen extrême pour résoudre des difficultés qui de tradition sont réglées directement entre les légations intéressées et le Maghzen.

"Notre représentant a obtenu de Muley Hafid la constitution d'une commission de vérification des dettes en vue de l'examen de créances françaises.

"Les Ministres d'Espagne et de Grande-Bretagne ont réclamé le même bénéfice et obtenu que la commission s'occupât aussi des créances de leurs nationaux. Rien ne s'oppose à ce que la compétence de cette commission soit étendue aux réclamations de toutes nationalités. En ce qui nous concerne, nous poserons, comme l'une des conditions de l'emprunt, que le Sultan précise en ce sens les pouvoirs de la commission de Tanger, et nous ferons déposer à la Banque d'État une somme égale au montant des réclamations réglées ou en instance de règlement.

"Mais il a toujours été admis en principe dans les discussions relatives à la liquidation financière qui ont eu lieu entre le Gouvernement français et l'Ambassade marocaine que le passif du Maghzen s'établirait à la date du 30 juin dernier. C'est sur cette donnée qu'ont été calculées les modalités de l'emprunt, et les créanciers

postérieurs au 30 juin ne pourront être payés que sur les ressources générales du Maghzen et sur les excédents éventuels des revenus engagés pour la liquidation financière."

En faisant connaître au Gouvernement britannique les vues de M. Pichon, le Ministre de France est chargé de faire remarquer en outre que l'institution d'une commission internationale ne se justifierait même pas par des précédents, car le Gouvernement marocain n'est pas à proprement parler en état de liquidation. Il est naturel que le chiffre de ses dettes soit déterminé par une discussion entre créanciers et débiteurs, et l'opération financière qui vient de lui être facilitée lui permettra de payer intégralement ses dettes.

Ambassade de France, Londres,
le 8 janvier, 1910.

No. 8.

[1260]

Sir E. Goschen to Sir Edward Grey.—(*Received January* 11.)

(No. 1.) *Berlin, January* 11, 1910.
(Telegraphic.) R.

MOROCCO mining laws.

German Government intend to publish a statement in answer to Mannesmann attacks, and propose to quote in it articles 60 and 61 of the draft convention drawn up in Paris.

No. 9.

[727]

Sir Edward Grey to M. Daeschner.

Foreign Office, January 12, 1910.

Sir,

WITH reference to the note which you were good enough to address to me on the 5th instant, I have the honour to state that His Majesty's Government readily accept the explanations offered therein as disposing, so far as they are concerned, of the difficulties in connection with the proposed mining law for Morocco to which attention was called in my note of the 10th ultimo.

His Majesty's Government will instruct Sir Henry Cunynghame to attend the adjourned meeting of the commission in Paris for the purpose of completing the agreement respecting the draft mining law, and I should be grateful if you would inform me as soon as possible what date has been fixed for the reassembling of the commission.

I am, &c.
E. GREY.

No. 10.

[727]

Foreign Office to Sir H. Cunynghame.

Foreign Office, January 12, 1910.

Sir,

I AM directed by Secretary Sir E. Grey to transmit to you, for your information, copies of correspondence, as marked in the margin,* relative to the proposed mining law for Morocco. This correspondence has arisen out of the memorandum which was communicated to the French Ambassador on the 10th ultimo, and a copy of which was forwarded to you in the Foreign Office letter of the same date.

You will observe that the French chargé d'affaires has been informed that His Majesty's Government are ready to instruct you to attend the adjourned meeting of the mining commission in Paris. I am to request that you will hold yourself in readiness for this purpose, and I am to add that you will be informed of the date of the meeting as soon as it is known at the Foreign Office.

* Nos. 2 and 9.

As regards the attitude of His Majesty's Government towards the various questions raised in connection with the mining law, Sir E. Grey does not think that any further detailed directions are needed. It will be sufficient that you should be generally guided by the views expressed in the memorandum above referred to.

I am, &c.
W. LANGLEY.

No. 11.

[1618]

Mr. Lister to Sir Edward Grey.—(*Received January* 15.)

(No. 3.) *Tangier, January* 5, 1910.

Sir,

I HAVE the honour to transmit herewith copy of a despatch I have received from His Majesty's consul at Casa Blanca, reporting current affairs at that time.

I have, &c.
REGINALD LISTER.

Enclosure in No. 11.

Consul Madden to Mr. Lister.

(No. 1.) *Casa Blanca, January* 3, 1910.

Sir,

A NEW experiment has just been tried of sending from the French garrison at Casa Blanca a detachment of regular cavalry to manœuvre in the Shawia with three of the mounted Moroccain goum raised by the French in the province. The operations comprised the tract of country from Sidi-bu Becker, near Azemur, to Meshraa-es-Shaer, on the River Um-er-Rebia, famous as having been the halting-place of Sultan Mulai Hafid on his way from Morocco city towards Fez. The combined cavalry are said to have worked well together, and with them were sent the newly formed mounted company of the Foreign Legion, who are not all mounted, but have one mule between two men, so that one man goes on foot while the other rides, the mule carrying the accoutrements of the man on foot. I am told that the men of this force covered the ground very satisfactorily. Further combined manœuvres are, it is said, to be held shortly between some French infantry working with the foot goum of the Shawia.

A number of the southern kaids who have been up at Fez have lately passed through the Shawia on their return to their districts. The kaids, who comprise Kaid Si Ayad-el-Menebhi Rahamani, the Kaid of Zimran, near Morocco, and the Schluh governors, have mostly come to this town with small contingents in order to visit the French general and the Bureau Arabe, while the greater part of their forces have crossed the Shawia through Mediuna on their way south.

An incident occurred with regard to the Kaid of Zimran, who, when passing through Mediuna, was accused by a goumier in the French Moroccain goum of having ill-treated this man's family and confiscated his property. The Kaid of Zimran was promptly arrested by the French, and has been lodged in the jail at Casa Blanca. The consular agent at Morocco city writes to me, however, to the effect that the seizure of the Zimrani kaid has not made much impression in the country, in spite of all the talk that the arrest gave rise to.

Six mule loads of money recently passed through here on the way to Kaid-el-Imtoogi at Fez, and the vice-consul at Mogador informs me that it is reported there that Kaid Anflus has sent a second contribution of 40,000 dollars as tribute to the Sultan at Fez, and that there are rumours that Anflus is to be appointed Governor of the town of Mogador.

The Shawia populations continue absolutely tranquil, and are fully engaged in agricultural operations, although the tribes beyond the borders are often in a troubled state, which the return of the kaids from Fez has augmented somewhat. In Shawia the people are entirely free from taxation till next year. The agricultural tax on grain and animals, together with the war tax imposed by the French, brought in, so I understood from the French consul-general, about 80,000*l*., but, so far as I am aware, no accounts have been published.

I may mention, with reference to the Shawia, that the town of Settatt appears to

be considered by business people to have a future before it. Situated at the junction of the plains with the first plateaux, and on the direct road to Morocco city from the Shawia, it stands as the centre of a very large district, which a glance at the map will reveal. The French are doing all they can to improve Settatt, and much land there has been bought up by far-sighted persons at Casa Blanca. The railway to Settatt, which is sure to be made before very long, will add immensely to the place's importance as a commercial centre too. At present one can only get there either by riding or by diligence.

In order to keep a strict watch on the health of the population of Casa Blanca, the town has been divided up by the French commissary of police into districts, so that any deaths occurring are daily reported, while the foreign consulates notify him of any demise among the members of their colonies. A signed statement of deaths is supplied daily by the commissary. By this means any case of suspicious illness can be at once found out and inquired into. These measures were taken owing to there having been during last summer several cases of supposed bubonic plague among the negro soldiers and among the country Arabs, the disease being, it was said, traceable to Tafilelt, but the health of the town of Casa Blanca has been, and is, excellent.

The French are preparing material for the erection of a clock tower at the principal gate of the town opening on to the grand *soko* (market). It is said that the clock is to be a chiming one, which should supply a much-felt want here, for at present we have no less than three times to go by—the Moorish, Spanish, and French times.

The roads require repair here very badly. In town the streets are full of holes where they have sunk, and are most uneven, while outside the town, in spite of a good deal of work put in on them by the French soldiery, the roads, even those leading up to the various camps, are quite impassable for foot passengers after a heavy fall of rain.

The policing of the town is also another rather urgent matter, owing to the large foreign population of some 6,000 which has grown up here since the bombardment of 1907. Many of the newcomers are of the low and unemployed classes from Southern Europe and from the Mediterranean African coasts, and, consequently, public security at nights leaves a great deal to be desired. At the instance of the French consul-general the consular body recently met and unanimously decided to ask the general commanding the troops to lend more gendarmes and more patrols to assist the native police raised under the Algeciras Act, the whole police direction of police being placed under the orders of the civil commissary of police attached to the French consulate. The general, so I am confidentially told by my French colleague, decided that the matter must be referred to Paris, while the consul-general was of a contrary opinion, and did not desire such a reference to be made, as the general had already lent some military gendarmes and given some patrols, and the consul-general considered that he might well do so again. I understood from my French colleague that the general would not be averse to giving the necessary men were he to be allowed to police the town himself, but the consul-general rightly said that the direction of the police in a town where capitulations exist must be a civil direction, not a military one.

General Bailloud, commander-in-chief in Algeria, is expected soon here on a visit. He will come nominally in a private capacity.

It will be remembered that soon after the French occupation the question of the ownerships of the sites on which the camps had been placed arose. The French authorities have recently approached some of the foreign owners of these lands, inquiring whether they would be disposed to sell their properties to the French Government.

I recently had the honour of receiving a letter from the late French commander-in-chief here, General d'Amade, who, it will be recollected, showed so much kindness to the British colony during his stay at Casa Blanca, and to whom, as a mark of their esteem, they made a presentation before his final departure from his command in the Shawia. The general, in his letter, sent through me the following very kind message to the members of our colony, and I should like to be allowed to bring it to your notice:—

"Comment ne profiterai-je pas de cette occasion pour vous dire que je conserve bien précieusement et toujours bien vivant le souvenir de mes rapports si agréables avec les membres de la colonie britannique de Casa Blanca? Je me rappelle combien tous m'ont témoigné de sympathies, et les preuves matérielles sont toujours devant mes yeux pour me rappeler la somptueuse libéralité de mes amis anglais. Aussi, M. le

consul, je vous demande de leur dire à tous, et à toutes, que je suis fidèle et sincèrement attaché à ce souvenir, et je fais des vœux pour le bonheur et la prospérité de la colonie britannique de Casa Blanca en général et de chacun de ses membres en particulier."

I have communicated the message to General d'Amade's English friends here.

I have, &c.
A. M. MADDEN.

[1268]

No. 12.

Mr. Lister to Sir Edward Grey.—(*Received January* 12.)

(No. 5.)

Sir,

Tangier, January 6, 1910.

WITH reference to my despatch No. 2 of the 2nd instant, I have the honour to transmit to you herewith copy of a letter which the Spanish Minister has addressed to the doyen of the corps diplomatique on the subject of the attempt made by the Sultan to alter the arrangements according to which all claims of whatever nature were to be presented for examination to the Claims Commission of Tangier.

Count Martens-Ferrão, in circulating this letter to the representatives of the foreign Powers, wrote a covering letter, copy of which is also enclosed, in which he offers the suggestion that a great service would have been rendered to the subjects of all countries if the Makhzen could be induced to accept some sort of international commission of the nature of the one appointed to examine the Casa Blanca claims, for the liquidation of all the claims.

The circular came to me first, and I enclose copy of my annotation.

I called this morning on the French chargé d'affaires and spoke to him on the subject. He tells me that he has telegraphed to his Government, and intends to keep the circular back till he receives their reply, as he feels that, being the representative of the Government who issued the loan, he must now give a full expression of their views and wishes in the matter.

As I stated in my above-mentioned despatch, he has for some time past held the opinion that the present commission would prove absolutely abortive and must be superseded by some sort of European commission. I said that I thought that if it were decided to impose some such commission on the Makhzen it might be advisable that it should be composed of subjects of States not directly interested, such as Switzerland, Denmark, or Sweden, the members of the various legations concerned being allowed to present and explain the claims of their subjects. He said that that was also his view, and that he intended to submit it to his Government. I shall ask him to let me have a copy of the annotation which he appends to the circular, and will forward a copy of it to you at once.

I have, &c.
REGINALD LISTER.

Enclosure 1 in No. 12.

M. Merry del Val to Doyen of Diplomatic Body.

M. le Doyen et cher Collègue,

Tanger, le 1er janvier, 1910.

AU cours de ma mission à Fez, pendant les premiers mois de l'année qui vient de s'écouler, j'eus occasion de soumettre à Sa Majesté le Sultan une liste des réclamations pour dommages dont la responsabilité a été attribuée aux autorités chérifiennes par divers sujets espagnols. En date du 25 avril dernier, j'ai reçu de la part de Sa Majesté Mulai Hafid la promesse solennelle de faire examiner et liquider ces demandes par la Commission chérifienne des Créances siégeant à Tanger. Cet engagement a été dûment noté au procès-verbal du jour mentionné et, quoiqu'il impliquât un nouveau retard pour la liquidation des réclamations accumulées pendant une période de seize ans, j'ai cru devoir l'accepter dans l'espoir d'arriver enfin à une solution définitive. C'est en vertu de l'accord précité que, sous la date du 1er juin dernier, j'ai fait remise officielle des réclamations espagnoles pour dommages à Sid Mohammed-el-Guebbas en le priant de la faire parvenir à la Commission des Créances, dont il est d'ailleurs le président. Le représentant chérifien dans cette ville m'ayant accusé réception le 16 du même

mois, mais l'examen de nos demandes n'ayant pas commencé, j'ai chargé un fonctionnaire de l'interprétariat de ma légation de procéder à l'étude de ces réclamations avec la Commission chérifienne. Ce travail a commencé le 27 du mois de novembre dernier et a marché sans encombre jusqu'au 30 décembre, quand les commissaires du Makhzen ont refusé de continuer, alléguant avoir reçu une lettre du Sultan qui restreint du nouveau leurs pouvoirs aux seules créances contre le Makhzen. Dans ces circonstances je viens d'adresser aujourd'hui même une communication à Cid Mohammed-el-Guebbas, lui faisant voir l'impossibilité dans laquelle je me trouve d'accepter une décision annulant un engagement solennel de son Souverain, mais dont aucune notification officielle ne m'est parvenue jusqu'à présent. J'ajoute à cette déclaration le refus d'admettre une procédure différente de celle suivie comme résultat de cette promesse, car elle me semble la seule propre à assurer dans un avenir prochain une solution définitive et satisfaisante des réclamations présentées par l'Espagne avec une patience inlassable depuis bientôt dix-sept ans. J' observe enfin que la dignité nationale, l'obligation morale contractée par mon Gouvernement vis-à-vis des réclamants, et les frais encourus par un grand nombre de ceux-ci à la suite de la soumission de leurs demandes à la commission ne me permettent pas de prendre une autre attitude.

Agissant d'après les instructions de son Excellence le Ministre d'État de Sa Majesté Catholique, j'ai l'honneur, M. le doyen et cher collègue, de porter ce qui précède à votre connaissance en vous priant de vouloir bien appeler la bienveillante attention de MM. les représentants étrangers sur une question qui semble avoir un intérêt collectif à un degré égal pour toutes les Puissances.

Veuillez, &c.
MERRY DEL VAL.

Enclosure 2 in No. 12.

Count Martens-Ferrão to Foreign Representatives in Morocco.

Tanger, le 2 janvier, 1910.

Messieurs et chers Collègues,

Ci-JOINT une lettre de M. le Ministre d'Espagne appelant notre attention sur le fait étrange qui se passe avec la Commission des Dettes, qui modifie ses attributions à son bon plaisir, sans que même Cid Guebbas, qui a bien voulu par sa lettre du 16 novembre écoulé ci-jointe nous communiquer qu'elle était chargée d'enquêter ur les réclamations de toute sorte contre le Makhzen, n'ait pas cru nécessaire e nous mettre maintenant au courant des nouvelles dispositions du Makhzen à ce sujet.

Pour ma part, je n'avais aucun compromis particulier du Makhzen comme celui dont parle M. le Ministre d'Espagne, et je crois que dans le même cas se trouvent plusieurs de mes honorables collègues, mais je croyais que la lettre de Guebbas adressée à nous tous aurait une valeur identique.

Maintenant, et en tout cas, il me semble que la procédure adoptée par la commission et par Guebbas lui-même de nous communiquer le changement d'avis du Makhzen est on ne peut moins correcte.

Notre lettre du 9 décembre écoulé ci-jointe est aussi restée jusqu'à présent sans réponse.

Je ne me suis jamais fait d'illusions quant aux résultats de l'examen des réclamations par une commission quelconque exclusivement chérifienne sans pleins pouvoirs pour les résoudre, mais j'ai cru que si cela ne nous portait pas de bénéfice, cela ne nous aurait pas porté par contre de préjudices, qu'autre chose n'obtiennent les réclamants, qui ont dû se rendre avec sacrifice de temps et d'argent bien inutilement.

Si on pouvait réussir à amener le Makhzen à l'acceptation d'une commission avec un caractère plus international dans le genre de celle de Casa Blanca avec pouvoirs pour liquider définitivement toutes les réclamations, et ceci de façon à pouvoir leur appliquer une partie du futur emprunt qu'on réserverait pour ce but, je crois que nous aurions fait quelque chose de bien utile et de bien juste.

J'ignore si mes honorables collègues seraient tous d'accord pour une diligence dans ce sens—je ne la leur propose même pas, je laisse à d'autres toute initiative—mais, à titre tout à fait personnel, et pas du tout comme doyen, qui ne prétend pas le moindre du monde vous indiquer un chemin quelconque, j'ai cru de mon devoir vous dire ce qui précède, étant comme je le suis, autant que vous autres, chargé de la défense des intérêts des ressortissants de mon pays.

Vous prendrez les observations de M. le Ministre d'Espagne sur cette question, qui, comme il dit très justement, a un intérêt égal pour nous tous, dans la considération que vous croirez et indiquerez la solution qui vous semblera la meilleure à prendre, s'il vous plaît.

Ci-joint la circulaire No. 2258 B.A.

Agréez, &c.
MARTENS-FERRÃO.

Enclosure 3 in No. 12.

Note by Mr. Lister.

JE suis arrivé à Fez au mois d'avril dernier tout préparé à discuter les innombrables réclamations de mes ressortissants. Le Sultan m'a dit qu'il ne pouvait être question de les examiner à la cour, et m'a prié d'accepter l'arrangement par lequel toutes réclamations de toute nature devraient être soumises à la commission qu'il venait d'instituer à Tanger. Il m'a dit que les Ministres de France et d'Espagne n'y faisaient aucune objection, et, comme mon honorable collègue le Ministre d'Espagne, j'ai cru devoir l'accepter. Avant mon départ de Fez j'ai reçu de Cid Aïssa-ben-Omar une assurance par écrit que toutes les réclamations de mes ressortissants, sans distinction, seraient examinées par la dite commission.

Jeudi dernier Guebbas m'a dit que le travail de la commission était devenu tellement lourd qu'on s'était décidé à nommer un "conseil" pour examiner toutes les dettes privées, et que désormais la commission n'examinerait que les créances contre le Makhzen. Je lui ai répondu que je ne connaissais rien de cet arrangement et qu'en présence de l'engagement du Sultan et de la note de son Ministre des Affaires Étrangères je ne pouvais admettre une procédure autre que celle que Sa Majesté chérifienne m'avait prié d'accepter. Guebbas m'a assuré que les décisions du conseil auraient exactement la même valeur que celles de la commission, dont il ne faisait qu'une branche. J'ai lui ai répondu que s'il me donnait une assurance par écrit que c'était ainsi, je pourrais peut-être prendre la proposition en considération, mais jusqu'à ce que j'aie reçu cette assurance écrite je continuerais à envoyer mes ressortissants à la commission et j'insisterais qu'on examinât leurs réclamations. Ce sont évidemment des manœuvres pour faire de l'obstruction et pour retarder encore le paiement des dettes du Makhzen. Je trouve l'idée émise par notre honorable doyen très intéressante, et je la communique dès aujourd'hui à mon Gouvernement.

R. LISTER.

Le 4 janvier, 1910.

[1366] No. 13.

Mr. Lister to Sir Edward Grey.—(*Received January* 12.)

(No. 3.)
(Telegraphic.) P. *Tangier, January* 12, 1910.

I HAVE been told by Count Sainte-Aulaire that, for political reasons, his Government are not in favour of the formation of an international commission to examine claims, such as I mentioned in my despatch No. 5.

He informs me that he is explaining the proposal to his Government more fully, since he thinks they cannot have properly understood his telegram. They appear to have imagined that he was suggesting the establishment of a permanent tribunal.

Count Sainte-Aulaire states that it is his firm conviction that no result will be arrived at under the present system.

Pending the receipt of further instructions from his Government, and in order to leave the matter open, he proposes to merely state on the circular that some difficulty may be experienced in inducing the Moorish Government to consent to the adoption of such a course.

[1260]

No. 14.

Sir Edward Grey to Sir F. Bertie.

(No. 6.)
(Telegraphic.) R. *Foreign Office, January* 12, 1910.

SIR E. GOSCHEN'S telegram No. 1 [Morocco mining laws].

If the French Government agree we are also ready to concur, although it seems a pity to publish article 61 if there is prospect of its being replaced, as result of further deliberations of commission, by more detailed provisions respecting proposed arbitral tribunal.

Please report as soon as possible.

[1621]

No. 15.

Mr. Lister to Sir Edward Grey.—(Received January 15.)

(No. 7. Confidential.)
Tangier, January 8, 1910.

Sir,

WITH reference to my despatch No. 5 of the 6th instant, I have the honour to inform you that Ben Nies and Boukili, the two principal members of the Claims Commission, came to see me yesterday afternoon at their own request, and on the understanding that I should say nothing about their visit. They told me that their one desire was to arrive at a satisfactory settlement of all the claims, and assured me that they had devoted their best efforts to doing so. They had, however, been thwarted in every imaginable way by the Makhzen, who gave them to understand that they were not to settle any claims, but merely to play with them, as they themselves did. They then produced the letter which had been addressed to them at the beginning of August bearing the Sultan's seal, informing them of the arrangement come to with me during my visit to Fez, and instructing them to receive and examine all British claims against natives which might be submitted to them. This letter was written, they said, at a moment when the Sultan believed that he would be able to resist the loan. They had consequently gone on with the examination of all claims, and about two months ago sent up a report to court with regard to certain claims for pillage. They received a reply about a month later, which they also showed me, informing them that claims of such nature were beyond the competence of the commission, and were to be referred to the Dar-en-Niaba, who would deal with them in the same way as Cid Torres had done in the past. This last sentence provoked an outburst of merriment on the part of the commissioners, for Torres's methods of procrastination were notorious, even among his own countrymen. It was, in fact, they said, due to these very methods that matters had come to the present deadlock. I asked them what the present state of affairs was as regarded their commission, and they told me that Guebbas had instructed them to disregard the instructions from Fez for the moment and to examine all claims, as he was in communication with the court on the subject.

The commissioners volunteered a statement to the effect that the Sultan's recent decision was merely a dodge to delay the settlement of the claims now that he had been obliged to agree to the loan, and thus put off the evil day of payment.

They have also afforded me conclusive proof that Guebbas was lying when he said that the new commission was quite distinct from the Dar-en-Niaba, although it might be composed of members of that office, and that it practically would only constitute a branch of the commission.

The information which they have given me is a strong argument in favour of the establishment of some sort of international commission.

I have, &c.
REGINALD LISTER.

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[777]

No. 16.

Sir Edward Grey to Mr. Lister.

(No. 7.)
Foreign Office, January 17, 1910.

Sir,

I HAVE received your despatch No. 312 of the 31st ultimo, and I approve the terms of the note which you have addressed to Guebbas relative to the mission which the Sultan of Morocco desires to send to this country.

I am, &c.
E. GREY.

[2083]

No. 17.

Mr. Lister to Sir Edward Grey.—(Received January 18.)

(No. 4.)
(Telegraphic.) P. *Tangier, January* 18, 1910.

I HAVE received your despatch No. 4 of the 10th of this month. In reply, I would state the opinion that, as the decisions of any purely Moorish commission depend upon bribes, any such commission must be unsatisfactory. You will by now have received my despatches Nos. 5 and 7, which deal with the question.

It would appear to me that we shall have to fall in with the views of the French Government on the understanding which you propose, should they, after receiving the explanations of which I spoke in my telegram No. 3 of the 12th January, still maintain their objection to the formation of an international commission.

[1621]

No. 18.

Sir Edward Grey to Sir F. Bertie.

(No. 34.)
Foreign Office, January 19, 1910.

Sir,

I TRANSMIT to your Excellency herewith copies of correspondence, as marked in the margin,* relative to a proposal of the Spanish Government that the foreign claims now being examined by a Moorish Commission sitting at Tangier should be referred instead to an international commission, to be constituted *ad hoc*, as in the case of the Casa Blanca claims.

You will see from this correspondence that the French Government are unfavourable to the proposal, whereas His Majesty's Minister in Morocco holds the opposite view. The contents of Mr. Lister's despatch No. 7 of the 8th instant may be of interest to the French Government, and I should be glad if you would communicate a copy of it confidentially to M. Pichon.

I am, &c.
E. GREY.

[2420]

No. 19.

Mr. Lister to Sir Edward Grey.—(Received January 22.)

(No. 11.)
Tangier, January 16, 1910.

Sir,

WITH reference to my despatch No. 305 of the 19th ultimo, I am confidentially informed by Mr. Hodgson that the French director of the State Bank has been told by M. Guiot, who is now in Paris, that some time must elapse before the loan is finally concluded, as all the details of the arrangements with regard to the ceded revenues are to be discussed and settled first.

I have, &c.
REGINALD LISTER

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* Nos. 7 and 15.

[2537] No. 20.

Sir E. Goschen to Sir Edward Grey.—(Received January 24.)

(No. 19.)

Sir, *Berlin, January 20, 1910.*

I HAVE the honour to inform you that the German Government have published the promised White Book about the Mannesmann affair and the Morocco mining rights. The White Book is intended to prove that the Moroccan mining concessions of the brothers Mannesmann is legally untenable. It is further intended to prove that the Imperial Foreign Office have helped the Mannesmanns as much as was possible under the circumstances.

The White Book commences by explaining that, after the Algeciras Conference, the Government was bound to hold to article 112 of the Algeciras Act, and could not support claims based on provisions previous to the mining law set forth in article 112. The Government held it accordingly to be their duty to support any steps which might be taken towards assuring a future participation of German capital in Moroccan mines. On these lines they had acted on behalf of the brothers Mannesmann. It was incorrect, according to the White Book, to maintain that the Government had not from the beginning clearly explained their point of view to the Mannesmanns. The White Book says, with reference to this point:—

> "On the 4th June, 1906, the brothers Mannesmann stated that they had claimed from Abdul Aziz the concession of exclusive mining rights in the eastern Riff. The official treatment of this first statement shows clearly enough the standpoint of the German Government; the official support of the Government was shown by the Minister being already then able to bring to the knowledge of the Maghzen the intention of the brothers Mannesmann to apply for concessions immediately after the issue of a mining law. Perhaps it would be possible, in the event of clauses to that effect being included in the mining law, to claim a certain priority for Messrs. Mannesmann. Later on in the proceedings Messrs. Mannesmann were categorically informed by the legation that no claims of priority could be made on the ground of a prior announcement of intention to make claims unless this was especially laid down in the future mining law."

The White Book states that the Minister, Dr. Rosen, had acted in the same sense in Fez in the autumn of 1906. Moreover, at an interview which Messrs. Mannesmann had with Herr von Schoen at the commencement of 1908 they were again informed that it was very doubtful whether and in what manner rights could be obtained before the issue of a mining law, and that therefore they could only expect a conditional support of their intentions.

In answer to the assertion which Messrs. Mannesmann have been making to the effect that the mining law was actually issued under Abdul Aziz' successor, Mulay Hafid, and that it is on the basis of this mining law that they acquired their concessions from Mulay Hafid, the White Book replies that the mining law on which Messrs. Mannesmann base their claim was introduced against all rules and previous decisions, and is not recognised. In order to show why the German Government, in common with all other Governments, takes up and must take up this position, the White Book recalls the fact that in 1908 the French contrived to persuade Abdul Aziz to charge the French engineer, Porché with the drawing up of a bill, and that at that time the German Government, in order to prevent the German applicants for concessions being entirely excluded, demanded that the bill should, before being accepted by the Maghzen, be first laid before the diplomatic corps for their judgment. The German view carried the day, and at a sitting of the diplomatic corps of the 20th August, 1908, a resolution was unanimously carried, which provided for the co-operation and control of the diplomatic corps on the law coming into effect. Paragraphs Nos. 4 and 5 of this resolution are to the effect that the completed work of the engineer delegates must be communicated simultaneously to the diplomatic corps and the Maghzen, and that the Maghzen must present the revised draft to the diplomatic corps before it is promulgated in order that the latter may be in a position to judge whether it fulfils the conditions of sentence 2 of article 112 of the Algeciras Act. The White Book continues:—

> "It is of importance that this resolution, which is binding on the Powers, expressly mentions promulgation of the law, for the alleged law of the

> 7th October appealed to by Messrs. Mannesmann has never been published. By the resolution of the 20th August, 1908, all the Powers are bound to recognise no other mining law for Morocco other than one issued in accordance with this resolution; Germany is, however, particularly bound by this resolution, as it was come to at her instigation."

With regard to the mining law of Mulay Hafid, on which Messrs. Mannesmann base their claim, the White Book states that the brothers Mannesmann take up the position that the Sultan had the right to issue a mining law, and that he did so on the 6th October, 1908, in which law he fulfilled the obligations laid on him in this respect by article 112 of the Algeciras Act. It was in virtue of this law that concessions were granted to Messrs. Mannesmann, and they were therefore valid both in accordance with Moroccan law and the Algeciras Act.

The German Government were aware that the Mannesmanns wished to promote their mining plans under Mulay Hafid They had, however, no knowledge of the fact that the new Sultan would be moved to issue a mining law so soon and so quietly, and that he could, on the ground of this law, grant extensive mining rights to Messrs. Mannesmann on the very day of the issue of the law, and before there was the least possibility of anyone else coming forward in competition to them.

The first ground against the legal validity of Mulay Hafid's mining law according to the White Book, is that it came into being in contravention of the resolution passed by the Sultan Abdul Aziz in conjunction with the diplomatic corps, to have a mining law drawn up by M. Porché.

> "The Sultan Mulay Hafid is bound by the Government transactions of his predecessor in so far as they affect questions of international importance, because as the condition of his recognition by the Powers he undertook to respect all transactions negotiated by the Government of Abdul Aziz. Secondly, the mining law came into being without the co-operation of the diplomatic corps at Tangier, that is to say, in contradiction to the unanimous resolution of the Powers of the 20th August, 1908, which interpreted article 112 in the spirit of the Algeciras Act, and bound all parties to the treaty only to recognise as in accordance with the Algeciras Act such a law as was drawn up under common control. It cannot be disputed that this interpretation is the concern of those parties to the treaty. It was not, therefore, to be expected of the German Government that they should not only ignore or regard as invalid this resolution, which they themselves had carried through, but that they should expect all the other nations concerned to adopt this course. Thirdly, the law, instead of being published in a proper manner, has been kept secret until the present moment, or only made known by persons delegated by Messrs. Mannesmann. Messrs. Mannesmann laid stress on the secrecy of the law in a communication which they addressed to the Imperial Chancellor. The Sultan himself did not regard the 'law' as that contemplated by the Algeciras Act, but as something only concerning Messrs. Mannesmann in particular. Even the procedure by which the 'law' was incidentally made known to the head of the German consulate in Fez does not affect the question of secrecy. But even if the law had been brought to the notice of the German Government and interested parties, in correct form, and with the undoubted expression of the Sultan's opinion that it was regarded as the law contemplated by the Act, representations in favour of its validity *vis-à-vis* the other Governments could only have been undertaken if the law had been notified to all the Algeciras Powers, and if it had come into force simultaneously for all interested parties."

The White Book then describes the negotiations which took place between the Mannesmann Syndicate and the "Union des Mines Marocaines," in which Krupp is interested, for the delimitation of the spheres of interest, negotiations which proved abortive. It declares that by trying to help Messrs. Mannesmann in some other way toward some practical result, the German Government tried to avoid taking up an attitude towards the legal question, which could only have been unfavourable to the claim of Messrs. Mannesmann.

> "The attacks which in the last few weeks have been directed against the Government make it necessary for them to explain their attitude in order to maintain their prestige and also to state publicly their doubts respecting the legal attitude adopted by Messrs. Mannesmann."

The White Book concludes :—

"The German Government is well aware of the advantages which would accrue to German trade and shipping through the participation of German capitalists in the exploitation of the mineral wealth of Morocco. Accordingly they have done their utmost to bring about such a participation to some considerable extent. It should not, however, be made a matter of reproach to the German Government that in doing so they have kept within the bounds prescribed by respect for treaties and by a straightforward, loyal, and consistent policy."

The German press is almost unanimous in agreeing that the Mannesmanns have not acted very wisely, but there are divergent views as to the warmth of the Government's support of their interests.

The "Frankfurter Zeitung," though recognising that the White Book is not altogether convincing in its defence of the Government's policy, points out that the Mannesmanns are merchants desirous of making a good deal at any price, and regrets that their obstinacy precluded the co-operation of the Government for the promotion of German interests.

The "Kölnische Zeitung" is of opinion that the White Book shows that the Government have emphatically and patiently done everything in their power, even when the Mannesmanns were carrying on their campaign against the Foreign Office, to promote the interests of the firm in so far as this was compatible with the position taken up by the German Government.

The "Vossische" says that the arguments of the Government are the same as have been declared to be invalid by the greatest experts of international law.

The "Börsen Courier" says that the position of the Government is not improved by the memorandum. The Mannesmanns may not have always acted wisely, and, indeed, their position seems untenable. But the Government, instead of supporting the important German interests represented, as the British or French Governments would certainly have done, had entered upon useless negotiations and weak concessions. If the Mannesmann claims should be granted, the "Börsen Courier" concludes, it will be no thanks to German diplomacy.

The brothers Mannesmann have, as was to be expected, issued a reply to the White Book, defending the legality of their mining concessions, and stating that both the French and Spanish Governments had given military support to the miners of their respective countries. To these arguments the German Government have replied in a telegram to the "Kölnische Zeitung" denying the legality of Messrs. Mannesmann's mining concessions and pointing out that, according to the standpoint adopted by the representatives of France, Spain, and England at the Paris conference, no rights can be regarded as conceded until the issue of a mining law so that any French or Spanish mining enterprise can only bear the character of preparatory activity.

Two copies of the White Book are enclosed herewith.

I have, &c.
W. E. GOSCHEN.

[2083] No. 21.

Sir Edward Grey to Sir F. Bertie.

(No. 42.)

Foreign Office, January 24, 1910.

Sir,

IN my despatch No. 34 of the 19th instant I transmitted to your Excellency copies of correspondence respecting the Spanish proposal that an international commission should be substituted for the Moorish Commission now sitting at Tangier to examine foreign claims against the Makhzen. Included in this correspondence was a despatch in which I requested Mr. Lister's views on my proposal to concur in the French standpoint on the subject on the understanding that British claims would be met out of a part of the new Moorish loan to be earmarked for the purpose of liquidating foreign claims. Mr. Lister has replied by telegraph that, if the French Government maintain their objection to an international commission, His Majesty's Government must fall in with their view; but that a purely Moorish commission is bound to be unsatisfactory, as their decisions depend on bribes.

Upon fuller consideration of the matter, I am disposed to share the view of the British, French, and Spanish representatives at Tangier, that the present situation is altogether unsatisfactory, and that an international commission may prove to be the

only practicable solution of the difficulty. I do not propose at present to urge this solution on the French Government, but I should be glad if your Excellency would, with reference to M. Daeschner's note, express to M. Pichon, on the basis of Mr. Lister's several reports, the fear of His Majesty's Government that the mere deposit in the State bank of the amounts claimed by the several legations on behalf of their respective nationals may prove quite unavailing in the face of the fairly plain indications given by the Sultan that he has every intention to put off indefinitely, by recourse to the usual Oriental methods of delay and inaction, the formal recognition of the claims which is an essential preliminary to this settlement.

I am, &c.
E. GREY.

[2922] No. 22.

Sir M. de Bunsen to Sir Edward Grey.—(Received January 26.)

(No. 7. Confidential.)

Madrid, January 22, 1910.

Sir,

THE French Ambassador informs me that his Government is watching with some uneasiness the action and suspected intentions of the Spanish Government in the Melilla region. Señor Gasset, Minister of Fomenti, who has lately returned from a visit of inspection to the territory held by the Spanish troops, is reported to have brought back with him to Madrid an elaborate scheme of public works, including the conversion of the Mar Chica into a commercial port, the establishment of an agricultural institute at Nador, the irrigation of considerable tracts of country, and other improvements implying the right of Spain to do what she pleases within the zone she has conquered from the Riffs. There has also been a persistent report that King Alfonso intends himself to pay a visit to Melilla with a view to inspect the principal strategic points in the neighbourhood.

In accordance with instructions, M. Revoil touched on this topic yesterday in the course of conversation with the Spanish Foreign Minister. He laid down the principle that the influence which both France and Spain claimed to exercise in the districts of Morocco adjoining their respective possessions should be limited to intervention in matters of police and public order, and to the prevention of contraband. His Excellency would not admit that it could properly be extended so as to include the right of either country to reserve to its own nationals the commercial and economic development of those frontier regions. Applying this principle to the case in point, the Ambassador argued that, if Spain were now to claim an absolutely free hand to construct ports, railways, and other works, and to exploit the mineral deposits within the line of the Spanish outposts, she might find that some of the other countries which were represented at the Algeciras Conference would not be disposed to recognise such an extension of the powers conferred by the concession to her of certain duties connected merely with police and customs administration.

M. Revoil informs me that Señor Perez Caballero was at first inclined to resent the suggestion that there might be a limit to the right of Spain to develop the occupied region in any way she chose. He thinks, however, that before the conversation ended he had succeeded to some extent in bringing his Excellency round to his own point of view. Señor Perez Caballero assured him that nothing was yet decided about the Inland Sea. The project of constructing extensive harbour works within the limits of the Spanish fortress of Melilla was far from having been abandoned. Indeed, the weight of expert opinion was still in favour of these works, as compared with the more ambitious scheme of connecting the Inland Sea with the Mediterranean, which he admitted might raise awkward questions with other Powers.

In reply to M. Revoil's further advice that the Spanish Government should conform, in matters affecting their mining rights in the Riff, to the Moorish regulations which would shortly be issued, it was to be hoped, on the basis of the project still under discussion at the Paris Conference, Señor Perez Caballero promised to bear in mind what M. Revoil had said, and to found the Spanish claim to the final concession of the mines in question as far as possible on the expenditure which she had already incurred upon them, and upon her special position as regards the exercise of police control over the mining region, rather than upon any exclusive right derived from conquest.

As regarded the King's visit to Melilla, nothing, Señor Perez Caballero added, was fixed as yet. M. Revoil entreated his Excellency to remember, if the King decided to

traverse the occupied districts, that His Majesty would be held in Morocco to be asserting a claim to permanent sovereignty unless his visit had been previously arranged with the Makhzen, so that he might be regarded as a guest rather than as a conqueror.

The French Ambassador hopes he has done something, by means of these representations, to discourage a Royal journey which the French Government does not seem to view with entire favour.

Finally, M. Revoil urged that the Spanish Government should deal quite openly with that of France, discussing frankly with the latter any doubtful points that might arise, and coming to an agreement with it as regards the limitations within which it would be expedient that both Powers should exercise their influence and right of intervention in the Moorish districts marching with their respective possessions.

I have, &c.
MAURICE DE BUNSEN.

[3412] No. 23.

Mr. Lister to Sir Edward Grey.—(*Received January* 31.)

(No. 15.)

Tangier, January 23, 1910.

Sir,

I HAVE the honour to transmit herewith a summary of events in Morocco for the past week.

I have, &c.
REGINALD LISTER.

Enclosure in No. 23.

Summary of Events in Morocco for Week Ending January 23.

IT will be remembered that some fears have lately been entertained at court as to the prospect of Moulai-el-Kebir being proclaimed Sultan by the Berber tribes, amongst whom he had taken refuge. It appears that a meeting was recently held near Taza, at which representatives of all the most important neighbouring Berber tribes were present, with the object of discussing the advisability of proclaiming a new Sultan. After a somewhat animated debate it was finally decided to proclaim no Sultan for the present. Moreover, the representatives resolved to uphold a strong coalition of the Berber tribes in order to continue the struggle against Moulai Hafid. While refusing to proclaim as Sultan Moulai-el-Kebir, the meeting agreed to nominate him chief of the revolutionary movement. In accordance with this decision he was requested to remain for the present at Taza. The representatives assured him of their fidelity, and promised him their obedience on condition that he renounced, for the moment at any rate, his claims to be proclaimed Sultan.

The decision to do without any Sultan for the present was arrived at after a bitter criticism by the chief representatives of the present Sultan and his predecessors. Moulai Hafid, it was said, was no less under the influence of Europeans than Abdel Aziz, while to make matters worse, he appeared to be moved by a fierce hatred of the tribes, whom he was doing all in his power to repress.

Rumours as to the defeat of the Shereefian force encamped between Fez and Taza are not confirmed, but it appears certain that its position is far from satisfactory, owing chiefly to the fact that large numbers of the troops have recently deserted from the ranks. Efforts are being made to replace them by fresh troops, it is not known with what success.

F. R.

[3413] No. 24.

Mr. Lister to Sir Edward Grey.—(*Received January* 31.)

(No. 16. Confidential.)

Tangier, January 23, 1910.

Sir,

THE French Minister returned to Tangier on the 20th instant. I was in the country, and saw him for the first time this morning. He told me that it was wrong to

imagine that the loan had been actually concluded. The position was this: The negotiations which had been carried on with the Moorish mission in Paris had been divided into three chapters, viz.:—

1. Casa Blanca and the Shawia.
2. Oujda and the Algerian frontier.
3. The financial arrangements.

The two former were practically complete and final, but the latter had been left quite vague. The loan was accepted in principle, but the details were not given. All three had been signed, but *ad referendum* to the Sultan.

Rumours had reached him during the last day or two from Fez that the Sultan had made up his mind not to ratify the agreements concluded by his Ambassador, but this M. Regnault was disinclined to believe. M. Regnault spoke very bitterly of the Sultan and his behaviour throughout the negotiations.

I have, &c.
R. LISTER.

[4149] No. 25.

Consul MacLeod to Sir Edward Grey.—(*Received February* 5.)

(No. 1. Confidential.)

Fez, January 19, 1910.

Sir,

IT is now fully a year since the Sultan Mulai Hafid was recognised by the Powers and since Europeans returned to the interior and normal intercourse was begun with the new Makhzen, so it may now seem appropriate to give some account of the situation here, to note wherein events have come up to or fallen short of expectation, and to form some ideas on the outlook for the year which has just begun.

2. This all may be summarised, in view of the actualities of things here, into a review of the Sultan's conduct of affairs, of his fortunes, of the year's revelation of his character, and of the effects these are likely to have on his prospects in this district.

3. Contrasted with the situation a year ago the salient points seem to be a very material consolidation of the Sultan's position—locally at any rate—and ever-increasing bitterness and strain in his relations with all the Powers.

4. In p. 3 of my despatch No. 23 of the 30th April last I alluded to the four signal feats by which, then, his authority had been so greatly enhanced in the Moors' eyes. To these he has now added a fifth, namely, the capture of the pretender, Bu Hamara, which, like the Sultan's other successes, was both unexpected and was brought about by circumstances mostly not of the Sultan's making and in spite of the fact that he had adopted almost none of the means (army reforms and so forth) by which alone, it was reasoned, such a success could be obtained; but, as indicating him to be fortunate, this, as before, has rather added to than lessened his reputation in Moorish minds.

5. The cruelties with which the Sultan after the event disgraced this success need not be mentioned here any further than to say that they have had the effects which European well-wishers of the Sultan pointed out to him at the time, degradation of himself in the eyes of Europe, and an increased determination of the Taza tribes not to submit, even nominally, to his rule.

6. Early in December the Sultan sent the bulk of his troops into Hiayna with the view, first, to bring that large area into proper tax-paying submission, and then to compel them to assist in bringing their neighbours, the Taza tribes, to a like disposition.

7. As regards Hiayna itself, this move has been so far fairly successful. About two-thirds of that province—those of the west and centre—have been brought into submission with practically no resistance. Some contributions in money (28,000 dollars) and kind have been collected, the sales of appointments produced further sums, and, what is still more substantial, a large proportion of the maintenance of the troops is being paid in kind by the Hiayna, which otherwise would have come out of the Treasury.

8. As they had lost Bu Hamara, and were now threatened with an invasion by the Sultan's troops, Mulai Kebir judged the moment opportune to betake himself to

Taza district. He arrived there, having travelled almost unattended through the uncontrolled Berber regions south and south-east of Fez, early in December.

9. He then began an agitation ostensibly towards inducing the Taza tribes to resume allegiance to Mulai Abd-el-Aziz, and, if Mulai Abd-el-Aziz refused to accept it, then to proclaim him (Mulai Kebir) Sultan.

10. Simultaneously, though as far as is known at Fez, not in connection with Mulai Kebir, Sid Abd-el-Malek Mahideen, a son of the famous Hadj Abd-el-Kader, of Algeria, and who, after being captured as Mulai Abd-el-Aziz's commander at Alcazar in 1908, had been cruelly treated by Mulai Hafid, began an agitation in Wadza district between Oujdah and Taza.

11. Both of these agitations appear, however, to have completely missed fire. Late in December Mahideen's camp was pillaged by certain of his own followers, and he had to return to Oujdah.

12. After several conferences the Taza tribes answered Mulai Kebir in this wise:—

"You are a shereef, and may therefore live with us in peace and security. We cannot, however, be ruled by any of the sons of Mulai Hassan. Mulai Abd-el-Aziz sold the land to the French. Mulai Mohammed" (for such, of course, the Taza tribes consider Bu Hamara to have been) "sold the land to the Spaniards. Mulai Hafid is making friends with the French at Fez, and we hear there are foreign instructors with the troops now in Hiayna. You would probably act like your brothers!"

13. These references were, of course, to the French occupations of Oujdah, Bu Denib, and Shawia and the Spanish occupation of the lands adjacent to Melilla, and are suggestive of several important considerations and conclusions.

14. A glance at the map* will show that these Taza tribes, whose attitude has never been more than that of nominal (*i.e.*, non-taxpaying) recognition of any Sultan, occupy a semi-circular range of mountains which present the only serious physical obstacle to a military advance towards Fez from Melilia or from Oujdah There are many reasons for believing that these mountains contain minerals, which, in time, must attract European enterprise.

15. It has always hitherto been assumed that the antipathy of these tribes to foreigners is incorrigible and that they would offer a prolonged and, perhaps, even successful resistance to foreign advances, whether of a political, economic, or military kind.

16. But much the same attitude was attributed to the Shawia, Oujdah, Bu Denib, and Melilla tribes, and yet, in the event, in each of these instances the tribes not only offered far less military resistance than was expected, but, with surprising alacrity, soon began to avail themselves of the economic advantages arising from the peace and security which followed the foreign occupation, conditions which were, in view of these tribes' immemorial history, quite unimaginable to them previously. Already, for instance, trade between Taza and Melilla has been resumed so briskly that the prices of foreign commodities at Taza have never been cheaper, nor the demand greater, than during the last few weeks. At Tafilelt, through the Bu Denib region connecting with the Bechar terminus of the Algeria–Sahara Railway, trade is similarly brisk and increasing, as also in Oujdah district and in Shawia.

17. The year's experience, therefore, would seem to show that the development of Morocco, district by district, would present much less formidable military and racial difficulty to the Powers undertaking it than has hitherto been supposed unanimously by persons studying this country. By this, of course, I do not mean that such development will not raise many, and perhaps considerable, difficulties, but only that these are more likely to be problems soluble by skill, experience, and peaceful methods to an important extent than only by the mere use of overwhelmingly superior force.

18. The Sultan's campaigns against the Ait Yusi, Beni Mtir, Bu Hamara and Hiayna have resulted in the restoration of the tribes within a radius of about 50 miles round Fez to the north and west and south, and about 40 miles to the east, to a better state of order than they have known these ten years. Of caravan robberies there have been practically none, and even courier and other highway robberies have been comparatively rare. In the city of Fez excellent public order has been kept. Of serious offences against Europeans, there have been absolutely none, and indeed the great improvement in the attitude of the native population towards foreigners has, more

* Not reproduced.

than any other feature of the year, most impressed Europeans long resident in these parts. Nor has this attitude been merely to foreigners as individuals. It would, of course, be an exaggeration to say that the Fez public feel any enthusiasm for European projects in Morocco. But it is remarkable that no recent doings of France or Spain have evoked any resentment worth mentioning, and the general comment one hears is merely "That is all Mulai Hafid's doing; his head is too hard!" which seems to them to dispose of the matter, There can be no doubt also, that the lessons of Shawia, Oujdah, and Melilla have made the public realise the uselessness of violent resistance to foreigners. Amongst the upper and middle classes a better understanding to foreigners' ideas is gradually being formed. Amongst the mercantile classes one finds little or no objection to the Algeciras Act reforms, nor even to the loan now reported to be concluded at Paris. These classes incline even to look more and more to foreigners to protect them from the exactions and harshness of the new Makhzen and the latter's acts are constantly compared unfavourably with the administration of Shawia and Oujdah nowadays. Increasing intercourse with Europeans by trade medical missionary work, dispensaries, and the like have all contributed to these feelings. Perhaps the most notable—certainly the most novel—cause is, however, the influence of the press.

19. In former years the public neither knew nor cared what was said in newspapers. Even when printed in Arabic for their special use, one heard newspapers spoken of only with contempt. So little curiosity did their contents excite that many possible readers were effectually stopped by the trifling differences between the written and printed Arabic characters. I remember hearing of one quite good scholar abandoning efforts to read newspapers on the ground of the absolutely unintelligible matter they contained, when it transpired that he read them line after line across the page instead of down the column!

20. In the closing years of the last reign the Makhzen began to be alarmed, however, by the possible effect of articles published by subsidised Arabic papers at Tangier. At that time such articles acted more as irritants than persuasives, and rather tended to increase than diminish the contempt of all classes for newspapers. Though in a direction they little suspected the Makhzen's fears then were well-founded. These papers found an eager reader in Mulai Hafid at Marrakesh. From them he formed an opinion that France and Mulai Abd-el-Aziz had come to such hopelessly bad terms that France would assuredly be glad to support another Sultan who would be more reasonable, and this (so, at least, much that I have heard goes to show) was the line he originally designed to take, but which proved impracticable owing to Mulai Abd-el-Aziz coming to terms with the French at once after the affair of Casa Blanca. The interregnum in the interior then ensued. The usual sources of information were closed, and at the same time the desire for news became greater. The foreign postal services, however, were not interrupted, and so the newspapers became the only regular channel of information for the Fez inhabitant, of any class, who desired to hear what was occurring elsewhere in Morocco. The circulation of —or at any rate the interest in—newspapers, while still small, is now certainly growing. One now constantly hears discussions amongst Moors over press news, and I have frequently seen the Sultan or viziers interrupt their talk to glance over a number of the Tangier Arabic paper (the "Saada") which might just have arrived. Stranger still, I have even seen a Moor of high position, seated at his door-step reading the "Saada" of an afternoon, where, formerly, he would only have sat counting his beads and staring blankly at the opposite wall.

21. Another change which is observable (of course still not to a very great extent) is a much greater readiness than formerly of all sorts of Moors to discuss public affairs. They speak now with more freedom than before, and show both more interest and intelligence, and it is a curious feature of the new Makhzen, that with all their autocratic ways, and the Sultan's big ideas of his position, they seem very tolerant of the expression of opinions different to their own. At any rate one often hears things said nowadays quite openly, which formerly the speakers would hardly have dared to whisper. To some degree newspapers may have brought this about, but it may also be attributed to the Sultan's loving to be talked about, even adversely, rather than not at all, and to the Berber element in the new Makhzen, who are in general more outspoken than Arabs, and freer in their manners. It would be premature, however, to conclude from all this that (in the European sense) public opinion has begun to be a factor to be seriously reckoned with. But still I think the beginning of some such development is now observable.

22. The foregoing would seem to amount to this—that we have a growing dislike

of the Sultan accompanied by an ever-increasing alacrity in obeying him. If some examination be made of his methods in the main branches of his administration and of his own personal conduct, it will be seen how this curious state of things has come to pass.

23. In all of these directions he has gone, it will be seen, beyond the expectations expressed in my despatch No. 23 of the 30th April last.

24. To augment the army has been the Sultan's chief preoccupation, and he is supposed to have in Fez neighbourhood some 14,000 men, as against some 8,000 or 9,000 (or less) this time last year. His success in procuring supplies of recruits has been quite remarkable. He has even extracted levies (though still not numerous and very given to deserting) from Ait Yusi and Beni Mtir, no Berbers having ever in modern times yielded such levies. In only two particulars (but these very important ones) he has gone beyond mere augmentation of numbers. He (1) sanctioned and has maintained a system of feeding the troops, introduced by the French Military Mission, instead of paying them wholly in money and letting them find their own food; and (2) the troops, while still paid irregularly, have on the whole been better paid than in late years, and the Sultan at least treats them better than any others of his creditors. Malpractices as regards pay still are rife on the part of the native officers and paymasters, but to a less extent than formerly owing to his exacting—into his own hand—prices beforehand for commands or posts, and making every fault found an excuse for exactions from the offender. A number of other minor reforms were began at the French Military Mission's suggestion, but as they have not been continuously followed they need not be detailed. As regards drill, discipline, and clothing, some little general improvement is visible.

25. As regards arms and shooting, things remain still where they were, *i.e.*, the arms are old, ill-kept, heterogeneous things, and shooting is not taught at all. Formerly the heads of regiments or divisions took the Sultan's orders through the Minister of War, through whom, also, appointments were made. Mulai Hafid has changed this entirely: appoints and directs each of the heads of division himself, punishes—by imprisonment or heavy fines, or rewards them himself, by medals, gorgeous uniforms, or promotion—all publicly in such wise as to produce often quite ferocious rivalry amongst them and their followers for his favour.

26. His own lack of care in religious observances was formerly remarked upon by the troops. This came to his ears, and he gave it rather an effectual answer by instituting an "imam" (leader of public prayer) in each regiment, who should lead regimental prayers at the various times of day Islam enjoins. He has also at times visited the wounded men, and has shown some disposition to afford them more medical attention than Moorish soldiers yet have had; but as yet little has actually been done, at any rate of a permanent value, in this direction.

27. For some time about the end of 1908 the Sultan, who then had the services of three English drill instructors, entertained a project of supplementing them by some Spanish officers. When, or shortly after, the French Military Mission was reconstituted and resumed its functions, this idea was dropped. The position of the French Military Mission was then improved, the Sultan consenting (or affecting to consent) to Commandant Mangin, the head of that mission, taking charge of the instruction of the army in general, and the English (*i.e.*, the only other) instructors were to be under him. In the event, however, this arrangement was never developed, and has given, and still gives, rise to endless friction. The root ideas on both sides are irreconcilable. The French quite rightly think that to make any real improvement they must be empowered to advise, administer, command, as well as to teach.

28. The Sultan's idea is that they should be just so many servants of his own to do his bidding without question, and whose functions at the most should be only to give expert information or to teach such drill or the like as the Sultan from time to time may think suitable. When his political ends move him to please France he affects to agree with the mission's objects. Directly these ends are served, or should he be feeling displeased with France, the orders given in the previous sense are countermanded, and he seeks to impress all concerned that he has in no wise "abandoned" the army to the French, and that these are only some foreigners amongst others in his employment. The situation on both sides is now worse than ever. The French have, by the French Government's directions, refused to accompany the Mehalla to Hiayna (their expert services as artillerists are much in request on such occasions), unless the Sultan guarantee that no punishments by mutilation or the like be resorted to on or after such expeditions, and to this the Sultan will not

agree. On his part he has imported an ex-Turkish officer and some ten ex-Turkish non-commissioned officers, and these have gone with the Mehalla as did also the two remaining English instructors. So far, however, the Turks have not been able to do any work, the troops objecting to learn another system of drill, and the Turkish instructors complain bitterly that they are ill-paid and worse found. Except as a means for the Sultan to show his "independence," it is difficult to imagine any reason for having them.

29. The whole matter of the management and modernising of the army will, of course, have to be settled some day by the French Military Mission being put and kept on such a footing as will enable thorough reorganisation and reform to be effected. This, however, will assuredly require the exercise of considerable pressure upon the Sultan, and so presumably matters may be expected to remain thus unsatisfactory until circumstances afford an opportune moment for the matter to be taken up seriously and conclusively. After resistance from the Sultan and his entourage the chief difficulty will be the finding or the training of proper native officers. Of these there are not merely none at present, but no class appears in the community from which men of education enough for modern military work can be recruited, so the dilemma arises of incurring either the risks attendant upon introducing a sufficiency of French or Algerian officers, or the loss of time involved in selecting and educating youths sufficiently to enable them thereafter to begin receiving professional training. Happily, meanwhile, the calls upon Moorish troops are slight, for these Moorish tribesmen, whom alone they usually have to fight, are still worse organised or disciplined, and usually quite as bad shots as the troops.

30. The original purpose of the Italian Military Mission was to manage a factory at Fez which should make and repair rifles and ammunition for the Moorish Government. It was a pet hobby of Mulai Hassan, but under Mulai Abd-el-Aziz its position and work waned very much. Mulai Hafid, however, has found it useful for refitting the stocks of old rifles and using up stores of old cartridges; also for making electric light for the Palace and the like. So it has now been transformed into a technical mission under Captain Campini, formerly a master artificer in the Italian Government's arsenal's, assisted by two civilian subordinates.

31. Anything like an exhaustive examination of the Sultan's finance would, even if the necessary data could be got, require a long report to itself. I propose to allude to it only to explain how his methods in regard to it have contributed to the consolidation of his position. His means have been most straitened, and he has consequently resorted to every imaginable expedient and excuse to exact money. Every shortcoming or fault has to be paid for; every appointment has to be handsomely paid for in advance, very often by money borrowed by the delinquent or the nominee. The sense of mastery which this instils into the minds both of the officials who have to pay the Sultan and offenders who have to pay the officials is difficult to exaggerate. Elsewhere it might lead at once to rebellion, but the Makhzen Moors are so inured to such ideas as to see in them nothing but evidence of strength and the best of reasons for obedience. The one difficulty it has occasioned has been the increased demand by natives for foreign protection in any capacity. To this the Sultan pays little attention however. The kaïds are ordered to "exempt nobody," the Sultan apparently feeling confident of being able to settle somehow about foreign claims which this may occasion, and which he will probably make ground of further exactions from the kaïds, and reflecting that, in the meantime, he gets the money and the very indifference he shows—and makes his officials show—to foreign influence still further enhances the public ideas of his mastery.

32. The amount of additional petty work and worry all this entails to consular officials grows greater every month, and is now far beyond all local experience. The protégés fight for every half-penny of their exemptions or claims. When—indeed, often long before—these are arranged, the lower ranks of Moorish officials, whose services are unpaid by the Sultan, fight for "backsheesh" from the protégés with unheard-of acerbity, and unless the protégé placates them (which itself is a time-wasting matter) further delays, wranglings, and worries are raised. The difficulties anticipated in the penultimate paragraph of my despatch No. 23 of the 30th April have (as far at least as consular relations are concerned) been realised even beyond those expectations.

33. A curious feature in regard to sales of appointments to custom-house posts may be worth notice. One would have supposed that the changed—and furthe changing—conditions would have lowered both the demand for and price offered for such yearly posts. But all one learns here is to the contrary, and it cannot be

answered that the prices are paid in ignorance of the new conditions of things, for in several instances lately the successful bidders have been the previous holders of these posts, which all seems to point to their still being a good deal of money to make illicitly in such offices.

34. One of the most familiar means resorted to by Moorish Sultans to increase their influence has been making matrimonial alliances with the daughters of leading Moorish personages. This was absolutely abandoned by Mulai Abd-el-Aziz, but the present Sultan not only insists on himself marrying daughter after daughter of his leading supporters, but also on their marrying each other's daughters. His latest acts in this direction have been the marrying of one daughter of his Ambassador, Nokhri, to himself, and of another daughter to his Grand Vizier, Glawi. Both alliances—it is notorious—are highly distasteful to all the persons affected, except the Sultan, particularly the marriage to the Berber Glawi, a most repugnant one to an Arab family with such an upbringing as the Mokhri family have had, but the very ubmission it all entails, and the sense of mastery instilled, seem to be all important in the Sultan's eyes. In the same way he arbitrarily imposes his own will on all his own family and Shereefs related to him. A few days ago he even went to the unheard of length of making two Shereefs divorce two rich aunts of his, to whom they had been happily married for many years (and whose dowers he resumed), and take two others —penniless—Shereefas in exchange. It is believed that the women had been in high favour of Mulai Abd-el-Aziz. One of them protested energetically against this forced divorce as (which it is) an outrageous violation of Moslem law, and was instantly flogged so severely that she gave birth to a child (of course dead) prematurely, and is believed to have herself died next day.

35. The union, in their common fear of the Sultan, which had arisen last year amongst the great southern kaïds, Glawi (Grand Vizier), Aissa Ben Omar (Vizier of Foreign Affairs), and Mtugi appeared for the first nine months of the year to grow closer, and at times there were signs of a breach between them and the Sultan. But during the last three months Glawi appears to be more and more inclined to gain and keep favour, and the gains this brings, at any price of acquiescence, and some estrangement has arisen between him and Aissa Ben Omar. Mtugi remains seated daily at Glawi's right hand, but inactive. Both of them have considerably stiffened against European influence. Aissa Ben Omar appears to understand both the situation and how to manage his own interests. He refrains from advocacy to the Sultan of things he knows must be conceded, and mostly insists on the foreigner stating his case, in writing or in person, to the Sultan, but many a useful hint is afforded by him to foreigners towards the presentment of their cases. He is a man of little exact information, but of much shrewdness and common sense, and all the foregoing, together with his geniality and hospitable ways, have gained him the esteem of almost all natives and of all Europeans.

36. Though so silent to the Sultan as a rule, he can, if pressed too far—as was the case recently when Glawi began to obtain reversals of decisions given by the Sultan at his instance—show surprising resolution and firmness. But for his age, which must be nearing 70, one would look to him to play as important a part as the Sultan's character would allow of, for many years to come. He retained his post really by force of character against the intrigues of the late Sid Abbas-el-Fessi (a far more accomplished man), and though the Sultan still now and again affects to despise or ignore him, he has hitherto always succeeded in reasserting himself farther than his rivals expected. When Abdullah-el-Fessi (Second Ambassador at Paris) returns there may possibly be a renewal of intrigues against Sid Aissa, in Abdullah's interest, the result of which is hard to forecast, but which most people anticipate will again be in Sid Aissa's favour.

37. The connections of Mulai Hafid with the great Berber chief Hamoo-û-Ukka of Zayan, the great and most timely assistance afforded by the latter, the appointment of the latter's son as governor of Fez, and the inclusion of Glawi, Mtugi and Gindafi amongst his entourage, gave rise to the belief that the Sultan meant to bring a new and little known element into the Makhzen. All events have gone to show, however, that if indeed he ever sincerely entertained that intention he has long dropped it.

38. Gindafi was the first to return home, which he did even before the Sultan reached Mequinez from Marrakesh. The Berber Governor of Fez retired to Zayan with many substantial marks of honour but without his governorship within four months, and the subservience of Glawi and Mtugi to the Sultan seems even more complete than that of any Arab members of the Makhzen.

39. These Berbers may have added something to the harshness and cruelty of the

new Makhzen but have certainly contributed little else, and indeed their mentality seems such that, if once brought under some European influence, they might prove more readily amenable to European ideas than their Arab colleagues whose minds are of slightly higher but much more obstinate cast.

40. In 1889 the ladies of the (British) North Africa mission began dispensary work which has been since continued with most beneficial results. During last year some 10,000 cases were treated by them. They are restricted, however, to the simpler class of maladies owing to lacking a medical practitioner qualified to treat graver or complicated and surgical cases. The dispensary (French) of the Comité du Maroc under Dr. Murat continues also to do excellent work, and last year some 17,000 cases were treated there. Many of them were surgical cases or diseases of a severity which could only have been undertaken by a qualified doctor. Formerly at Marrakesh and now at Fez, the Sultan has shown constant goodwill to such work. He lately renewed the lease of a Government-owned house here on easy terms for one of the North Africa Mission's dispensaries and now has granted a site, and a sum of money towards cost of erection, for a hospital of twenty beds (ten for men and ten for women) to be under Dr. Murat. The patients will pay what they can afford and the balance will be made up by the Comité du Maroc. The hospital will be of the simplest kind, but will include a modern operating room which can hardly fail to be of great benefit to natives and even on occasion to Europeans here, as it will allow of many cases being treated for which no means have hitherto been available nearer than Tangier, a ride of 156 miles. As the first modern hospital to be erected in the interior of Morocco its beginnings however small seem worthy of record.

41. The only modern school hitherto in Fez has been the school maintained by the "Alliance Israelite" of Paris, and which has done excellent work in the Jewish community. It was established about twenty years ago, and now large numbers of the youngest Jews have quite a good French elementary education. Were employments in the Makhzen open to them, they would form a most useful class of subordinate civil servants. As it is, their education is of advantage to French trade and French ideas.

42. The Sultan has sanctioned now, however, the creation of a school for Moors, for French European elementary education, in charge of a qualified Algerian. It will at first be on a very small scale of course, and in certain cases, I am told, the pupils will be paid for their attendance. This, I should explain, is quite a wise measure, for the well-to-do Moors have seldom any patience for education other than of their own kind, and the poorer ones cannot, or will not, afford not to let their children work as child-apprentices, so the payment of, say, 3*d.* a-day to each child is really a compensation for its time, but in the end may be well spent in creating a general notion of the value of such education. At least two attempts at such schools or classes have been made by Algerians, and one most promising effort was made in 1893 by an Englishman and his wife; but, owing to the indifference of the Moorish public and suspicion of the then Makhzen towards the former, and the injudicious methods of, and Makhzen ill-will shown to, the latter, all of them had to be discontinued.

43. In fairness to this Sultan, however, one must note his appreciation of the value of modern education, "by which alone" (I have heard of his saying in praise of the education at Beyrout of two of Nokhri's sons) "we Moslems can hope to hold our own with Europeans," so some hope may be entertained that this latest attempt at a school will prove successful.

44. The foregoing conveys, I think, about as much as can be put to the credit side of the Sultan's account. To come to the debtor side, it would be outside the limits of a merely local review such as this to narrate the details of the daily growing bitterness he has brought into his relations with all the Powers, and the exasperation he has excited everywhere against him, where, at the beginning of the year, there was every disposition to conciliation.

45. But in view of the special opportunities that residence at Fez affords, it may not be improper to give the impressions left by the year's experience of him gained at near hand, and which may afford some explanation of all this. In my despatch No. 23 of the 30th April I alluded to his industry and to the fits of mental depression to which he was subject, and to his occasional spells of drunkenness in relief of them, and to his inordinate ideas of his own abilities and position. Each of these weaknesses has grown upon him beyond all expectation, and his industry has in consequence greatly decreased. No doubt the Bu Hamara capture contributed to all this, but even previously he had begun occasionally to give himself up to his harem

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and to liquor entirely for two or three weeks at a stretch. Latterly the spells of drunkenness have been somewhat fewer, or at any rate shorter, but, on the other hand, the slightest excuse—for instance, very rainy or very windy weather—is enough to make him keep indoors, and adjourn all his own and his viziers' work. What with this and frequent hunting excursions, and half-days devoted for reading and conversation with his literary cronies, added to the Thursdays and Fridays, on which as a rule no business is done, it has often happened during the last four months that he did not work on more than two or three days a-week, and even then only for a very few hours. He sends for Europeans with less and less frequency, and nowadays rarely but on some urgent matter or occasion of ceremony. This has been specially noticeable since his Bu Hamara cruelties, the press comments on which, deserved though they were, embittered and affronted him highly. When relations are on a friendly footing of mutual conciliation Europeans here, consuls particularly, can be useful to the Makhzen as well as their own Governments in promoting such ends; but when the Sultan's ends and deeds are such that no European can help him, the situation, of course, is seriously altered.

46. Summing up all that has been said herein it will be seen that the year has revealed extremes on both sides of the Sultan's character, and results, better locally, and worse abroad, than were anticipated. The only local difficulty remaining to him is the non-recognition of him by the Taza tribes. This, but for the presence of Mulai Kebir and Mahideen—and the bad terms into which he has come with France and Oujdah would not be at all serious, for it is highly improbable that these tribes would—for more than mere raids—trouble his administration at Fez. The worst that could happen in the meantime is a defeat and scatter of his Mehalla in Hiayna—should it attempt to move into the more immediate region of Taza; and this, as before, would probably only mean the reassembling of the units at Fez and the fining of the officers. If, as may be done, Hiayna be brought as effectually into submission as have—say the Beni Mtir—the Taza trouble, locally, will be much limited, for then even raids towards Fez will not be practicable, at least.

47. Until the Mehalla question is settled it will be impracticable for the Sultan to leave Fez, so it is to be anticipated that he will remain here for the next six months at any rate, provided nothing still more serious should occur to call him to the south. But in any event, and whatever the ultimate results of his severe methods may be, there seems every reason to anticipate that his authority will be further strengthened and the Fez provinces generally remain as quiet as they are now.

48. His habits are unlikely to improve, and cannot but eventually shorten his life; and of course some unusually ferocious act might possibly result in a prompt and fatal retaliation on himself, though this is less likely in Morocco than an outsider might suppose. Were his debauchery accompanied by mildness it would be much more likely to cause rebellion. As things have worked out, however, his headstrongness at home has done much to produce—and is likely to continue to produce for at least some months more—an administration stable enough to withstand unshaken, locally, the consequences from abroad of this same headstrongness towards France and the Powers.

49. Whether his rule has not already produced that degree of stability, or to what extent such pressure on the frontiers or at the ports towards the carrying out of the Act of Algeciras or other public obligations might be resorted to, are of course questions beyond the scope of this study of the situation, but the presentment herein of the facts may perhaps help towards the formation of ideas upon them.

50. It will be observed that I have not touched upon the attitude of any of the Powers towards the Sultan, in so far as such a matter can be better ascertained in Tangier or Europe than at Fez. But perhaps mention should be made of a somewhat novel and growing foreign element in the situation at Fez, namely, the position there which the Spaniards have begun to cultivate.

51. There is practically no trade between Fez and Spain, or Melilla district, and only two male unofficial Spanish subjects, one a dentist and the other a managing clerk of an American petroleum company in this region. Nevertheless, a Spanish military doctor was sent, as attaché to the consul, to cultivate the utmost personal friendship with the Sultan, and he has done, gratuitously, some medical and dispensary work at the Palace.

52. Every chance is availed of to extend Spanish protection amongst the citizens and country people, and the Spanish postal service has opened an agency at Fez, the couriers for it being employed jointly with the German post-office. In everyone's opinion here all this can only be explained as political action, having for its object

the assertion towards the Sultan and Moorish public of a position of equal footing with other Powers, particularly France, and the necessity for which, I understand, is defended on the ground (which is a fact) of the insignificance into which Spain had fallen of late years in the eyes of the Sultan and the Moorish interior population. These may also, however, be preparatory steps towards future developments of commercial relations.

53. It is to be expected that when the Melilla district is settled and the mines work regularly, Spanish influence can hardly fail to begin to grow in the districts south and south-west of the mines, that is to say, in the (now) semi-independent mountainous region of Taza, and once such influence is obtained, the development of substantial commercial intercourse with Spain through Melilla will become quite feasible. This can scarcely come to pass in the very near future, however, but in view of the unexpected alacrity which the Melilla tribes (supposed hitherto to be implacably hostile to relations with Europeans) have come to peaceful terms with the Spaniards, such development is no longer the almost unthinkable contingency which it has hitherto seemed.

54. A retrospect of the year would not be complete without allusion to the mining projects which have begun to be formed, and which are strangely novel and unexpected elements in the general situation. Except in the near neighbourhood of Melilla, where, as seen from Fez, they appear rather as Spanish than Moorish affairs, they have as yet not got beyond the initial stages of what can be done in Europe—formation of companies, the drafting of a mining law for the Sultan's approval, and the like. Hereabouts, at any rate, nothing, or almost nothing, even in the way of scientific prospecting for minerals has ever been done, though interested parties have occasionally procured samples from natives of the mountain districts of these provinces. So far as I have yet learned these samples have not revealed the existence of precious metals, and where other ores have been discussed they have been in districts chronically semi-independent, and so unlikely to be field for enterprise in the very near future.

55. Later on, however, in view of the possibility of its minerals affording largely both the ways and the means for the economic and thereby the political regeneration of Morocco, the mining projects may become of great interest and importance.

I have, &c.
J. M. MacLEOD.

[4112] No. 26.

Mr. Lister to Sir Edward Grey.—(*Received February* 5.)

(No. 16.)

Sir, *Tangier, January* 26, 1910.

I HAVE the honour to transmit to you herewith copy of an article which has appeared in the "Dépêche marocaine" of to-day's date giving the principal provisions of a double decree which has been issued regulating the organisation of the native troops in Spanish employ at Ceuta and Melilla.* The first decree lays down that Spanish nationality will be granted after two years' service in the Ceuta Militia, instead of twenty as required before. The militia is to be increased, the expenditure being met by the extraordinary vote for the Melilla campaign.

At Melilla three native companies are to be formed; and the native police already existing at La Restinga and Cap de l'Eau will be formed into a composite company of cavalry and infantry. The decision to grant Spanish nationality after two years' service appeared to me to be a somewhat strong order, and I asked M. Regnault what his view was. He said he had been very much surprised, but that he did not imagine that many natives would come forward to serve in these new levies, as in the Riff little store was set by foreign protection.

Time will show whether he is correct in his view, but this new move, taken in connection with reports received from His Majesty's consul at Fez (see his despatch No. 1 of the 19th instant), shows that the Spaniards are doing all they can to increase their protection throughout Morocco.

I have, &c.
REGINALD LISTER.

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* Not printed.

[4113] No. 27.

Mr. Lister to Sir Edward Grey.—(*Received February* 5.)

(No. 17.)

Sir, *Tangier, January* 29, 1910.

THE French Minister told me the other day that he wished to speak to me with regard to the question of the settlement of the claims of foreigners against the Moorish Government and private persons in Morocco (see my despatch No. 5 of the 6th instant). As I was aware, he said, the French Government for considerations of their general policy in Morocco were by no means anxious to see the establishment of any kind of international tribunals. Moreover, the experience of the working of such a body at Casa Blanca was not encouraging, the delays had been interminable, as was always the case where jurists were concerned, the expenses had been very great, and the results, he feared, had not been particularly satisfactory.

He had been instructed by his Government to examine the whole question on his return to Tangier, and, after discussion with his colleagues, to report the conclusions which he had arrived at. He fully realised that no settlement would ever be arrived at under the present arrangements, and that the Sultan had made them simply with the view of causing delay and obstruction. His idea, roughly speaking, was as follows:—

That four more Moorish officials should be added to the two who, at present, formed the executive of the Claims Commission. In this manner three departments would be formed, and the claims of the subjects of three countries could be examined simultaneously; their powers would have to be largely increased, and they must be given the right to settle claims. The claims would be presented by the dragoman of the legation concerned, who would act to some extent as advocate on behalf of the claimants. A term would have to be fixed, say three months, for the discussion of the claims of each nationality. Any claims upon which after that time the Moorish commissioners and the dragoman had failed to arrive at an agreement would be submitted to the arbitration of two arbiters, the one named by the Moorish commissioners, the other by the dragoman. Finally, any claims which still remained unsettled would be submitted to a single arbitrator chosen by the two above-named arbiters.

M. Regnault also said that he thought it would be necessary to fix the sum to be set aside from the loan for the payment of claims, and he thought that it should be two-thirds of the total amount of the claims declared by all the various legations. His experience at Rabat had shown him that on an average one-third had to be knocked off from the amounts of all claims as originally presented. This is no doubt very true in the case of claims for pillage and the like, but should such a course as that proposed by M. Regnault be adopted, I think the claims would have to be divided into two categories, as it would be manifestly unfair to knock a third off claims the absolute items of which had already been admitted or were irrefutable, as in the case of Pariente's claim, or of the claim of 185,000*l.* (23,000*l.* of which is accounted for by interest) advanced by Messrs. Coutts through Kaid Maclean to the Sultan, Abdel Aziz. These two alone make up just under two-thirds of the total amount of British claims which is roughly 375,000*l.*

M. Regnault told me he was going to talk the matter over with the German Minister, and promised to let me know what the views of the latter were.

I have, &c.

R LISTER.

[4114] No. 28.

Mr. Lister to Sir Edward Grey.—(*Received February* 5.)

(No. 18.)

Sir, *Tangier, January* 30, 1910.

WITH reference to my immediately preceding despatch, I have the honour to transmit herewith copy of a note which the French Minister has communicated to me embodying his views with regard to the course to be pursued for the settlement of foreign claims against the Moorish Government and private persons in Morocco. After seeing me at the beginning of the week, M. Regnault discussed the matter with the German Minister, who agreed in principle with the whole idea. A few slight

modifications have been introduced, but the foundation remains the same as given in my above-mentioned despatch. In the course of our previous conversation I had told M. Regnault that I thought it was rather a pity that the dragoman of the legation concerned should appear as an advocate; that although his legation and mine were above suspicion, the same could not be said of all the others, and certain dragomans were undoubtedly open to bribes. They would for money force through undeserving claims, and the odium would fall upon our dragomans, who would be accused by their compatriots of not pressing their interests with the same zeal as the delegates of other legations. M. Regnault admitted the justice of my contention, and in the note under consideration it is laid down that the duty of the delegate from the legation is to see that proceedings are properly conducted, to assist at the subsequent discussion, and finally to sign all the papers.

M. Regnault's idea would be that the arbiter to be named in the second instance by the legation should be a stranger, and in preference a consul from some other country than Morocco, who would have some knowledge of such matters. He asked me whether I thought His Majesty's Government would be prepared to grant extra money to such an official. He hoped to be able to persuade his own Government to do so. He proposed that the final arbiter to be named by the corps diplomatique should be a magistrate.

I reverted in my conversation yesterday to what M. Regnault had said as to striking off one-third of the claims as presented, in estimating the sum to be laid aside for their payment, and pointed out to him that in our case the two-thirds were practically covered by Pariente's claim and the claim on behalf of Abdel Aziz, neither of which could be cut down, as the amounts had all been admitted by the Maghzen. I said that I thought the claims would have to be divided into two categories. He quite agreed, and said that he would propose some such arrangement. He did not, he said, discuss the money question with Dr. Rosen.

He is submitting the note to his Government.

I have, &c.

REGINALD LISTER.

Enclosure in No. 28.

Note communicated to Mr. Lister by M. Regnault respecting Settlement of Claims.

LE Sultan nommerait une commission marocaine de huit membres, sous la présidence du représentant du Sultan, à Tanger, avec pleins pouvoirs pour régler toutes les réclamations formulées par des ressortissants étrangers pour des faits antérieurs au 30 juin, 1909.

Cette commission se diviserait en trois sous-commissions de deux membres. Les deux délégués restant seraient appelés à suppléer les membres des sous-commissions empêchés de siéger au cours des travaux.

Chacune des trois sous-commissions assumerait l'examen et le règlement des réclamations d'un groupe de nationalités.

Chaque sous-commission examinerait les réclamations de son ressort dans l'ordre qui lui serait indiqué par le délégué de la légation intéressée, lequel pourra assister à toutes les séances et dont la fonction sera de veiller à ce que l'instruction de l'affaire soit régulièrement conduite. Les réclamants seraient admis à se présenter à l'audience en personne ou par fondé de pouvoirs ayant mandat spécial de les représenter. Ils exposeraient leur revendication et fourniraient les explications qui leur seraient demandées; ils pourraient se faire assister au besoin d'un avocat et d'un interprète privé.

Les réclamations seront instruites suivant les usages locaux et sans qu'il y ait lieu d'appliquer de règle de procédure des législations étrangères.

La cause une fois entendue, la sous-commission délibérerait sur l'affaire, en dehors de la présence des intéressés. Le délégué de la légation prendrait part à la délibération, et nulle décision relative soit à l'examen soit au règlement de l'affaire ne serait tenue pour valable que si elle a été contresignée par lui.

Dans le cas où la sous-commission rendrait, dans la forme ci-dessus prescrite, une décision portant règlement, cette décision ne deviendrait acquise et définitive qu'après avoir été communiquée par le délégué de la légation au réclamant et après avoir été expressément acceptée par ce dernier ou son mandataire.

Pour le cas où le réclamant n'accepterait pas la dite décision, il y aurait lieu de prévoir une juridiction du second degré, qui serait l'arbitrage.

Deux arbitres, nommés, l'un par le Makhzen, l'autre par la légation du réclamant, trancheraient l'affaire sans appel. Ils seraient, en cas de désaccord, départagés par un tiers arbitre nommé par le corps diplomatique et qui serait tenu de rendre sa sentence avant le

La décision arbitrale ainsi rendue serait signifiée au Makhzen, dans la personne du représentant du Sultan à Tanger, par les soins de la légation intéressée, qui, d'autre part, délivrerait au réclamant une pièce constatant le règlement intervenu.

A l'issue des travaux de la commission, celle-ci délivrerait aux titulaires des réclamations réglées des titres définitifs.

Un délai de trois mois serait accordé à chaque sous-commission pour régler les affaires de son ressort. Passé ce délai, les affaires restées sans règlement seraient, *de plano*, soumises à la juridiction du second degré, c'est-à-dire à l'arbitrage.

Observations.—Il y a lieu d'attirer l'attention sur la question du choix des tiers arbitres chargés de solutionner les réclamations au second degré.

Nous verrions de sérieux inconvénients à ce que ces fonctions fussent confiées à des négociants, avocats, ou hommes d'affaires du pays, dont le jugement pourrait être influencé par des considérations d'ordre local.

Dans ces conditions, nous serions d'avis que chaque légation chargeât de ces fonctions une personne qualifiée, prise en dehors du Maroc, et offrant les garanties de compétence nécessaires.

Honoraires des Arbitres.—Les arbitres recevront comme honoraires un tant pour cent sur le montant de la réclamation formulée, avec indication d'un maximum.

Le montant de ces honoraires sera avancé par le réclamant et restera à la charge de la partie qui aura succombé. En cas de condamnation du Makhzen, la somme allouée par les arbitres sera majorée du dit montant.

Le réclamant devra, avant l'ouverture de l'arbitrage, déposer à la Banque d'État, avec affectation spéciale, le montant des honoraires des arbitres.

[4109] No. 29.

Sir M. de Bunsen to Sir Edward Grey.—(Received February 5.)

(No. 11.)

Sir, *Madrid, January 28, 1910.*

WITH reference to my despatch No. 7, Confidential, of the 22nd January, I have the honour to report, on the authority of the French Ambassador, that his Excellency's representations to the Spanish Government on the subject of the territory occupied by the Spanish troops in the neighbourhood of Melilla have since been independently supported by Count Tattenbach, the German Ambassador. The latter appears to have repeated, in somewhat stronger language, the friendly warning given by M. Revoil to the effect that the occupied zone is not to be regarded as conquered territory, and that any public works which it may be intended to execute within its limits should be put up to public tender in the manner laid down in the Act of Algeciras. Count Tattenbach is understood to have made it clear to the Spanish Foreign Minister that Germany would raise objections to any contract for the adaptation of the Mar Chica to the requirements of a commercial or military port, unless the provisions of the said act had been fully complied with, and that she would tolerate nothing in the form of an exclusively Spanish contract for the development of that region.

I have, &c.
MAURICE DE BUNSEN.

[4652] No. 30.

*Note communicated by M. Cambon, February 7, 1910.**

LE Gouvernement de la République française et celui de Sa Majesté le Roi d'Espagne considérant qu'il serait utile de renouveler pour une nouvelle période d'un an le mandat qui leur a été conféré par Sa Majesté le Sultan du Maroc pour empêcher la contrebande des armes de guerre sur les côtes de l'Empire chérifien, l'Ambassadeur

* Similar communication made by Spanish Embassy.

de France serait heureux de savoir si le Gouvernement de Sa Majesté britannique ne verrait pas d'objection au renouvellement de ce mandat dans les mêmes conditions générales. Il serait précisé que la surveillance instituée sur les eaux territoriales marocaines peut s'exercer dans les ports non ouverts, ainsi que l'expérience en a démontré l'utilité.

Ambassade de France, Londres,
le 7 février, 1910.

[4652] No. 31.

*Sir Edward Grey to M. Cambon.**

Your Excellency, *Foreign Office, February 14, 1910.*

WITH reference to the communication which your Excellency was good enough to make to the Foreign Office on the 7th instant, I have the honour to state that His Majesty's Government agree to the proposal that the mandate given to the French and Spanish Governments to exercise the right of search off the Moorish coast for contraband arms and ammunition should be renewed for another year down to the end of 1910; and that they see no objection to the inclusion of the closed ports in the mandate, when experience has shown this to be desirable.

I have, &c.
E. GREY.

[4114] No. 32.

Sir Edward Grey to Mr. Lister.

(No. 17.)

Sir, *Foreign Office, February 16, 1910.*

I HAVE received your despatches Nos. 17 and 18 relative to the proposals of the French Minister at Tangier in regard to the settlement of foreign claims against the Moorish Government and private persons in Morocco.

I entirely agree with you that a general reduction of all claims by one third before examination would be objectionable, and a premium on dishonesty. If the sum set aside for payment of claims is insufficient, it would be much fairer that after they have all been settled there should be a *pro ratâ* reduction. This would further obviate the necessity for an invidious division of claims into separate categories, involving differential treatment.

I should be glad to have your observations on this proposal, and at the same time I request that you will furnish me with a full list of British claims, with any explanations you may be able to give. There is at present in this department little information respecting the details of any British claims beyond those of Messrs. Pariente and Messrs. Coutts.

The selection of an arbitrator and the remuneration he would require are difficult problems, which will need consideration. I do not gather from your despatches whether you consider the French scheme practicable and advisable, and I should be interested to learn whether, in your opinion, His Majesty's Government should accept these proposals, or whether they should raise objections at Paris. In either case, I should be glad of any suggestions in regard to the British arbitrator and his remuneration. You might also enquire from M. Regnault what exactly is meant by the term "magistrate" as applied to the final arbitrator.

I am, &c.
E. GREY.

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* Also to Señor Villa Urrutia, *mutatis mutandis*.

[5814] No. 33.

Mr. Lister to Sir Edward Grey.—(Received February 19.)

(No. 21. Confidential.)

Sir, *Tangier, February 9, 1910.*

I HAVE the honour to transmit herewith a list, brought up to date for the year 1909, of the heads of foreign missions at Tangier.

Changes have taken place at the Austro-Hungarian, the American, and the Belgian Legations, and the accounts of the new Ministers have been appended at the end of the previous list.

I have, &c.
REGINALD LISTER.

Enclosure in No. 33.

Heads of Missions at Tangier, February 1910, reprinted and brought up to date from List dated March 1909.

Portugal.—Count Martens Ferrao has been at Tangier for eight years and is doyen of the diplomatic body. Having no axe to grind, and practically no interests to safeguard, he rarely finds himself in disagreement with his colleagues, with all of whom he is on the best of terms. Married to an Italian lady with private means, he entertains to a considerable extent. He has never been to Fez, and has practically nothing to do with the Moorish authorities. Having lately represented his Government at Algeciras as second delegate, he considered himself entitled to a higher post and did all in his power to obtain it. He remains on, however, at Tangier, and during the most of last year was in rather a bitter and depressed frame of mind.

Germany.—Dr. Rosen, the German Minister, is the true type of intelligent and learned German *bourgeois*, his good manners being rather more forced than natural. The son of George Rosen, one of the greatest German Orientalists, who was for many years consul-general at Jerusalem; he spent his boyhood in Palestine, where he learnt Arabic as his mother-tongue.

In 1885–6 he accompanied the present Lord Dufferin as tutor to India, and I believe that the high opinion that the late Lord Dufferin formed of his talents induced him to recommend Dr. Rosen to the notice of Bismarck.

Dr. Rosen's great knowledge of the Persian language and a journey he made through Persia from India led to his employment as first dragoman at the German Legation in Tehran, where he remained for some years, and took charge of the legation during the Minister's absence.

He was for several years director of the Oriental section of the German Foreign Office and also conducted a mission to Abyssinia. In the summer of 1905 he was sent to Paris to negotiate the preliminaries of the conference of Algeciras and succeeded in antagonising Prince Radolin, who has no words bad enough for him. He has a thorough knowledge of English and French, and always expresses himself with great admiration for English institutions and for our rule in India. He always endeavours to give the impression that his attitude is an extremely moderate and conciliatory one, but he waged a most bitter and unscrupulous war against the French until the whole situation was changed by the signature of the Franco-German agreement in February 1909. He affects a straightforward and hearty manner amounting almost to bluntness, but the experience of this legation has shown him to be excessively tortuous, if not false, in his methods. My personal relations with him are excellent. Both he and his wife are agreeable and cultivated people. She was a Mlle. Roche, the daughter of M. Roche, who for so many years held classes in London. She comes of a very gifted and artistic family and is herself a magnificent pianist.

Dr. Rosen has no doubt suffered cruelly in his *amour propre* under the Franco-German agreement, which was the reversal of his policy. His position here, after the very aggressive line he took, is almost ridiculous, and he does not conceal his desire to leave Tangier.

France.—M. Regnault, the new French Minister, entered the service in 1883, and has been mostly employed in Tunis and latterly in Switzerland; but in 1904 he represented the French bondholders in this country, and accompanied M. Saint-René Taillandier on the mission to Fez.

He has some reputation as a financier, and was employed as an expert at Algeciras, eventually signing the Act as one of the delegates.

Of untiring energy and activity, he brings to bear on the great variety of subjects now dealt with here a technical knowledge seldom at the command of a diplomat *de carrière;* and during the very numerous meetings held here for the construction of the "règlements," the outcome of the Act of Algeciras, he displayed a considerable power of clearly exposing his views with fairness and moderation. Of admirable temper and free from all excitability, he generally produced a better impression on the meetings than his more nervous, though more learned, German colleague.

Of *bourgeois* origin, he represents the best type of Frenchman of the professional classes, and possesses all the dignity engendered by simplicity and rectitude by remarkable lucidity of thought and expression, and by great elevation of ideas. He has acquired considerable popularity and a reputation for straightforwardness among all his colleagues, with the exception of the German Minister, with whom his relations are far from cordial. He has always acted towards me with the utmost frankness, not unfrequently discussing with me beforehand the measures he proposes to recommend to his Government. Our relations, both official and private, are of the very best.

M. Regnault is about 50 years of age, and, in view of the very successful manner in which he has conducted French policy in Morocco during the last year, it appears probable that he will be called to higher functions in the service of his country. He is married to a simple pleasant lady, and has a large family of daughters.

Holland.—The Netherland Minister is the Chevalier de Rappard. Holland had for many years been represented here by Germany, and it has never very clearly appeared why that country was not satisfied to allow that condition of affairs to continue. The interests of Holland in Morocco are practically nil. The only persons with any claim to Dutch nationality are a family of some thirty persons of Jewish persuasion, who have only been brought into daylight by the attentions shown to them by the new Minister.

M. de Rappard is a man of some 42 years, of considerable energy, a good linguist, and with a desire to be extremely impartial; but his sympathy for Germany, where he has spent some years of his previous career, is apt at times to predominate. He followed with great care and attention the discussions of the diplomatic corps for the construction of the "règlements" arising out of the Act of Algeciras last winter, and was often most useful in finding a formula to satisfy all parties.

In order to justify to some extent his appointment, he is anxious to push Dutch trade, and is a frequent visitor at the local grocers' establishments endeavouring to introduce curaçao and other Dutch delicacies into the local markets.

He has rendered a considerable service to residents at Tangier by arranging for the boats of two of the principal Dutch steam-ship lines to call at Tangier on alternate weeks on their outward and homeward journeys to and from the east.

He is married to a somewhat unpolished lady, remarkable for her "gaffes" and for the excellence of her household and domestic arrangements. They entertain a good deal.

Italy.—The Italian Minister, Dr. Nerazzini, was previously consul-general at Shanghae. He began life as a doctor in the navy, and accompanied the Duke of the Abruzzi on some of his travels. He also received some credit from his Government effecting successfully the negotiations for the exchange of the prisoners after the Abyssinian war.

He talks the most appalling French, which renders him somewhat of a buffoon, but he is not without a certain shrewdness. He professes to support French interests, and is full of protestations to M. Regnault, who is inclined to regard his colleague with some suspicion and contempt.

He has now been joined by his wife—a good sort of woman—and the Italian Legation has been done up. They have given a series of appalling dinners.

Russia.—M. Botkine was appointed in 1907, and has since been promoted to the rank of Minister Plenipotentiary. He is younger than most Russian Ministers. He

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has previously been employed in Washington, Lisbon, Sophia, and Brussels, and was in London before coming to Tangier. He is married to a pretty, agreeable American lady, and they have a pleasant house, and give a good many small dinners.

M. Botkine's mission is to support the French in Morocco, and he openly says that, beyond that, his Government is more or less indifferent as regards the affairs of this country.

I am on excellent terms with him and his wife.

Spain.—In February 1908 M. de Llaberia was succeeded by M. Merry del Val as Spanish Minister. The latter is a brother of the Cardinal, and the clerical spirit is strong within him. This spirit, combined with considerable pride of birth and contempt for the *roturier* Government of the French Republic, increases the jealousy and mistrust of France which he shares with all Spaniards. He is a man of considerable energy and a hard worker, but he is narrow-minded and obstinate, and he lacks judgment. His fear that the French may steal a march upon him in Tangier—which he already seems to consider as the centre of the Spanish sphere—amounts to an obsession, and leads him constantly to advance Spanish claims which are quite indefensible. This is especially the case in municipal matters, in which he never fails to introduce the "nationality" element. He has succeeded so far in irritating the French and the Moors alike, and the latter are quite sharp enough to realise that, with France and Germany in agreement, the importance of Spain is very much diminished. His training has been purely Jesuitical, and in all dealings with him one feels, and generally discovers, that he has not been quite straightforward. He is married to a pretty, rather empty-headed little Spanish lady, who tries to make the best of her life at Tangier, though in reality she is longing for the delights of the small coterie in which she lived in Madrid, and suffers acutely under the absence of coiffeurs and modistes.

United States.—Mr. Dodge has replaced Mr. Gummeré. He was educated at Lausanne and speaks French perfectly. He is very busy informing himself on all the varied and complicated questions which are submitted in Morocco to the decision of the representatives of the Powers. He seems to me a sound and sensible little man. His predecessor was latterly entirely under the influence of the German Minister. Mr. Dodge will, I think, be far more independent. He is married to a nice quiet little American lady, and they entertain very pleasantly.

Belgium.—The new Belgian Minister is M. Garnier. He had not arrived before the end of the year 1909.

Austria-Hungary.—M. de Callenburg has succeeded Count Koziebrodski. He is a heavy and methodical man, with no sense of humour. He takes his duties, political and municipal, very seriously, and attacks one, both in and out of season, with questions and lengthy expressions of opinion as to some trifling point of detail in the latest circular with regard to the "égout collecteur" or the Spanish gold peseta. Notwithstanding all his personal enquiries, I am inclined to think he will eventually always do what the German Minister tells him.

His wife has pretensions to beauty aided by art, a great deal of manner, and a very tiring laugh.

They entertain a certain amount, but she has decided views as to the duty of the hostess to entertain each one and all of her guests, whom she likes to keep herded together. She is an avowed enemy of bridge or anything that "can break up a party." Their dinners are consequently rather wearisome, though their one idea is to be very amiable.

[5815] No. 34.

Mr. Lister to Sir Edward Grey.—(*Received February* 19.)

(No. 22. Confidential.)

Sir, *Tangier, February* 9, 1910.

THE French Minister told me to-day that there was no doubt that the Sultan had been doing all in his power during the last few months to induce the German Government to save him from the French; in return for this he had gone so far as to

offer them a coaling-station. The German Government, however, had resisted even that temptation, which must have been a great one, and had told His Shereefian Majesty that, by their arrangement with France, they had abandoned all political interest in Morocco, and that they had no intention of departing from that attitude.

The Sultan has now sent Ben Azzous, who is the Mannesmanns' right-hand man in Morocco, to Berlin, with instructions to do all he can to induce the press to redouble their efforts on behalf of Mannesmann, and to insist upon the protection of German interests in Morocco, and thus prevent its absorption by France. As a *quid pro quo*, he is to hold out hopes of the grant of concessions and economic advantages of all kinds, by means of which German vested interests in the country will become so important that the Government will be obliged to adopt a more active policy.

Ben Azzous was the Ambassador sent to Berlin by Mulai Hafid before his recognition, and he was no doubt able to establish relations with many prominent people during his stay there.

He has also been charged with completing the purchase of four batteries from Krupp. El Mokri had received instructions to order them last spring, but he purposely delayed carrying out his instructions, at the instigation, I believe, of the French Government.

Ben Azzous has also placed an order for 5,000 Mauser rifles and 1,000,000 cartridges with a Hamburg firm of the name, I believe, of Genschau.

M. Regnault said that these large orders for arms were really rather serious at a moment when the French might be obliged to put on the screw in Morocco.

I have, &c.

REGINALD LISTER.

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[581] No. 35.

Mr. Lister to Sir Edward Grey.—(*Received February* 19.)

(No. 24. Confidential.)

Sir, *Tangier, February* 11, 1910.

THE reports which reach me from various parts of the Empire show anything but a satisfactory state of affairs.

From Fez I learn that up till quite lately the Sultan had not left his palace for sixteen days. These periods, during which he drinks hard and spends his time with the ladies of the harem, who are constantly on the increase, are growing more and more frequent, and last longer each time. He sees no official persons and any communications which may pass between him and the Viziers are made in writing.

Moulai Hafid is reported to have said that he intended to take his time to consider the documents sent by El Mokri from Paris, and that he had no idea of signing them in a hurry. They required mature reflection and he should insist on any alterations being made in them which he might think necessary. In any case he would not agree to the loan until the French undertook to evacuate the Shawia and Oujda. He was certainly not going to follow the example of Abdel Aziz, who signed the Act of Algeciras seventeen days after it had been presented to him. Rumour has it that the Sultan does not conceal the fact that he still considers the threats made by France to be mere bluff. He is convinced, he says, that she will never go to the expense of an expedition to obtain payment of debts largely due to the subjects of other nations. In any case it will be time enough to give in when there appears to be a likelihood of the threats being put into execution. The French Minister told me yesterday that the reports which he received from M. Gaillard were far from encouraging. It appears that when the Sultan first saw the documents brought from Paris by Abdallah for his signature, he said that he thought they seemed satisfactory, but a few days later he sent for him again and told him that on a closer examination they had proved most unsatisfactory. The report in native political circles here is that he flew into a violent passion, rated the wretched Abdallah for daring to bring him such papers to sign, and finally indulged in a diatribe against the French.

M. Regnault also told me that a serious incident had taken place between the senior French instructor and the notorious hajieb, the Sultan's chamberlain, a most brutal and overbearing nigger. The French military mission have lately been organising several tabors of artillery, to each one of which two secretaries are attached to make out the pay lists, &c. It appears that on pay day, in the presence of the

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troops and the second French military instructor, the hajieb took exception to the appointment of one of these officials and asked by whose order it had been made. The amin in charge replied that he had received instructions from Commandant Mangin to appoint the man. The hajieb flew into a passion and gave orders for the imprisonment of the amin. Captain Brémond protested, pointing out that the amin was by no means to blame, and that if the hajieb had any fault to find he must refer to Commandant Mangin. He threatened to withdraw, with all the French instructors, if the order were carried out. The hajieb absolutely ignored his protest, the amin was imprisoned, and the French instructors withdrew. The hajieb is stated to have come straight from the audience granted by the Sultan to Abdallah, as reported above, and was no doubt encouraged by the attitude adopted by his Imperial master. After a severe struggle Commandant Mangin was able to procure the release of the amin on the following day; but he was not content with this, and he insisted on an apology being made and a guarantee being given that such a thing should not occur again. A deadlock appeared to have been reached, and the local political Moors of Tangier were much excited yesterday as to what would be the result, for they said that the hajieb would never apologise. I learn, however, this morning, that the Sultan has disavowed the action of his chamberlain. An apology was made to Commandant Mangin, accompanied by all his staff, in the presence of the French consul, by delegates of the hajieb and of the Minister of War. A promise was also given that there should be no repetition of such acts. The French instructors have now resumed their duties.

M. Regnault tells me that the position of the French instructors has been most difficult of late—that they have been studiedly ignored, that they have been treated with the very scantiest civility, and that on every possible occasion they have been made to play second fiddle to the Turkish military officers.

The incident, however, should produce very excellent results, and will certainly create a great impression on the native mind.

The news from the south is most unsatisfactory. Some of the tribes bordering on the Shawia are in open rebellion, notably the Seraghna, the major portion of the Dukala, the Zimeran, and the Beni Meskin. The maghzen have taken no steps to restore order, the situation is fraught with danger for the French in the Shawia, and strong representations have been made to Cid Guebbas on the subject.

I also learn that the officials at Marakesh have refused to remit to Moulai Hafid Government money lying in the southern capital, and have informed him that they would not do so until various promises made to them had been executed.

At Mazagan a violent altercation has taken place between the French vice-consul and the basha of the town, but the latter has finally been obliged to yield.

Absolute disaffection reigns among the eastern tribes round Taza and as far as the Algerian frontier. Moulai-el-Kebir remains amongst them, but they do not appear to intend to proclaim him Sultan. They wish to remain independent, and are all united on one point, viz., resistance to the present Sultan. M. Regnault tells me that he has adopted a very much stiffer attitude of late towards the Dar-en-Niaba here, Guebbas, he says, is an old mattress, made to receive blows and not return them, but a new element has been introduced in the person of Kabbage, a confirmed obstructionist, whose dismissal was once obtained by private representations from this legation, and he has instructed his dragoman to keep his eye on him, and on the first sign of insolence to fall upon him and create an incident. Since writing this despatch, I have been informed by the French Minister that he has proposed to his Government to take advantage of this opportunity to demand the withdrawal of the Turkish officers.

I have, &c.
REGINALD LISTER.

[5818] **No. 36.**

Mr. Lister to Sir Edward Grey.—(Received February 19.)

(No. 25. Confidential.)

Sir, *Tangier, February 11, 1910.*

AFTER consultation with various colleagues the French Minister has made some further slight modifications in the note, copy of which was enclosed in my despatch No. 18 of the 30th ultimo, with regard to the course to be pursued for the

settlement of foreign claims against the Moorish Government and private persons in Morocco. I have the honour to transmit a copy of the note as it now stands.

In paragraph 2 his reason for proposing four sub-committees instead of three is to ensure that each one of the four principal Powers interested, viz., Great Britain, France, Spain, and Germany, should be at the head of a group of nationalities and have a sub-commission to itself. The question of the groups, he said, would have to be thought out. The sub-committee selected to deal with the claims of British subjects might also deal with those of Americans and Portuguese. Belgium and Holland might go with France. Germany, who already represents Sweden, might take Austria. Spain remained the difficulty. The Italian Minister would, he felt certain, be furious at being placed in the same sub-committee as M. Merry del Val, and they would always be having rows. I said I would take the Italians and let Portugal be with Spain, but he seemed to think that that would be just as bad. However, this is only a matter of detail for subsequent arrangement. I suggested that in paragraph 8 the word "écrite" be added after "décision," in order to preclude the possibility of the Moorish delegates saying that they had never agreed to the decision in the form in which it was communicated to the claimant, in accordance with paragraph 9. This has been done.

Paragraphs 15 and 16 are new, and will no doubt prove important. Claims such as that of Kaïd Maclean on account of Mulai Abdul Aziz will finally be submitted to the Arbitration Committee mentioned in paragraph 16.

The present note also goes more fully into financial details with regard to pay, &c., of arbiters. On the other hand, the chapter headed "Observations" is omitted altogether. This was done, M. Regault told me, at the request of the German Minister, who thought that each legation should retain absolute freedom in the choice of its arbiters. The Spanish Minister has accepted the proposals in principle, and promises a definite answer in a few days. He has no doubt referred the matter to Madrid.

I have, &c.
REGINALD LISTER.

Enclosure in No. 36.

Note respecting Settlement of Foreign Claims against Moorish Government.

LA Commission chérifienne de Vérification des Dettes du Makhzen, actuellement constituée à Tanger, sous la présidence du représentant du Sultan, recevrait de Sa Majesté pleins pouvoirs pour régler définitivement toutes les réclamations formulées par les ressortissants étrangers pour des engagements ou des faits antérieurs au 30 juin, 1909. A cet effet le nombre de ses membres serait porté de deux à dix.

2. Cette commission se diviserait en quatre sous-commissions de deux membres; les deux délégués restant seraient appelés à suppléer les membres des sous-commissions empêchés de siéger au cours des travaux.

3. Chaque sous-commission assumerait l'examen et le règlement des réclamations d'un groupe de nationalités d'après une répartition qui serait arrêtée par le corps diplomatique.

4. La Commission de Vérification des Dettes makhzéniennes transmettrait aux sous-commissions respectives les dossiers de toutes les affaires dont elle aurait été saisie jusqu'à ce jour.

5. Chaque sous-commission examinerait les réclamations de son ressort dans l'ordre qui lui serait indiqué par le délégué de la légation intéressée, lequel pourrait assister à toutes les séances et dont la fonction serait de veiller à ce que l'instruction de l'affaire soit régulièrement conduite. Les réclamants seraient tenus de se présenter à l'audience en personne ou par mandataire spécial. Ils exposeraient leur revendication et fourniraient des explications qui leur seraient demandées; ils auraient la faculté de se faire assister d'un avocat et d'un interprète privé.

6. Il serait procédé par défaut à l'examen et au règlement des réclamations dont les titulaires ne se seraient pas présentés. La sentence ainsi rendue serait signifiée au réclamant par sa légation dans la forme administrative, soit par lettre recommandée s'il réside à l'étranger, soit par l'intermédiaire de l'autorité consulaire intéressée s'il réside au Maroc. Celui-ci pourrait en appeler devant la Commission

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arbitrale dans un délai de quarante jours en consignant le montant des frais d'arbitrage, comme il est dit aux paragraphes 18 et 20. Ce délai courra du jour où le réclamant aura reçu la signification en question.

7. Les réclamations seront instruites suivant les usages locaux et sans qu'il y ait lieu d'appliquer des règles de procédure des législations étrangères.

8. La cause une fois entendue, la sous-commission délibérerait sur l'affaire en présence du délégué de la légation, et rendrait une décision écrite portant règlement.

9. Toutefois cette décision ne deviendrait acquise et définitive qu'après avoir été communiquée par le délégué de la légation au réclamant et après avoir été expressément acceptée par ce dernier ou son mandataire. Dans ce cas la légation délivrerait à l'intéressé un pièce constatant le règlement intervenu.

10. Le réclamant qui n'accepterait pas une décision de ce genre aurait la faculté d'en appeler dans un délai de quinze jours devant une commission arbitrale de deux membres, nommés l'un par le Makhzen l'autre par la légation intéressée. En cas de désaccord sur la sentence à rendre par les deux arbitres, ces derniers désigneraient à l'amiable un troisième arbitre, avec le concours duquel ils trancheraient l'affaire.

11. Si la désignation du troisième arbitre ne pouvait s'effectuer comme il vient d'être dit, ce choix serait dévolu au corps diplomatique.

12. La décision arbitrale serait signifiée au Makhzen dans la personne du représentant du Sultan à Tanger et par les soins de la légation intéressée, qui, d'autre part, délivrerait au réclamant une pièce constatant le règlement intervenu.

13. Un délai de trois mois serait accordé à chaque sous-commission pour régler les affaires de son ressort. Passé ce délai, les affaires restées sans règlement seraient, *de plano*, déférées à la Commission arbitrale prévue au paragraphe 10.

14. A l'issue des travaux de la commission, celle-ci délivrerait des titres définitifs aux titulaires des réclamations réglées.

15. En ce qui concerne les titulaires des créances liquidées résultant d'un contrat en due forme ou d'un compte régulièrement arrêté avec le Makhzen, ils se présenteraient dans les conditions indiquées au paragraphe 5, devant la sous-commission chargée des affaires de leur nationalité, laquelle enregisterait leur créance et leur délivrerait un titre définitif.

16. Au cas où la sous-commission se refuserait à l'admission d'une créance de ce genre, l'affaire serait déférée à une commission arbitrale comprenant: un délégué chérifien, un délégué du corps diplomatique, et un délégué de la Banque d'État. La sentence de cette commission serait sans appel.

17. Chaque arbitre recevrait comme honoraires 1 pour cent sur le montant de la réclamation formulée, sans que ces honoraires fussent supérieurs à 2,000 fr. ni inférieurs à 200 fr.

18. Le montant des honoraires des trois arbitres serait avancés par le réclamant et resterait à la charge de la partie succombant. En cas de condamnation du Makhzen, la somme allouée au réclamant par les arbitres serait majorée du montant des dits honoraires.

19. Au cas où une affaire serait réglée par la Commission arbitrale sans l'intervention d'un troisième arbitre, le réclamant récupérerait la somme avancée par lui à titre d'honoraires de ce dernier.

20. Le montant des honoraires des arbitres devrait être déposé par le réclamant à la Banque d'État, avec affectation spéciale, avant l'ouverture de l'arbitrage.

21. En ce qui concerne les réclamations dont les titulaires auraient fait défaut, et qui, néanmoins, seraient déférées à la Commission arbitrale en vertu des dispositions du paragraphe 5, il serait accordé aux intéressés un délai de quarante jours pour effectuer le dépôt des frais d'arbitrage comme il est dit au paragraphe 20. Passé ce délai, les réclamants seront présumés avoir renoncé définitivement à leur revendication, et la légation intéressée leur signifiera cette déchéance.

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[5878]

No. 37.

Mr. Thorne to Sir Edward Grey.—(*Received February* 19.)

3, *Paper Buildings, Temple, E.C.*,
February 18, 1910.

Sir,

1. I HAVE the honour to inform you that the Casa Blanca Claims Commission has at last completed its labours. The final sitting was held on the 6th January, 1910. The Commission should have met for the first time on the 31st May, 1908, but through the delay in the arrival of Señor Octavio Cuartero, the then Spanish Commissioner, and of M. Navarro, the Portuguese Commissioner, the first sitting was not held until the 17th June, 1908. The Commission adjourned on the 22nd August, 1908, until the 18th September, 1908.

2. I journeyed to England, and left London on my return journey on the morning of the 11th September, 1908. I called that same morning at the Foreign Office, to get the bag which I was carrying to Tangier. I arrived in Tangier on the 14th September, and was informed by Mr. White, the Chargé d'Affaires, that the Commission would not be sitting yet awhile, as the Moorish Commissioners were afraid to sit without the authorization of Mulai Hafid. I have learnt that the other Foreign Offices were communicated with by telegram to this effect, whereas Mr. White contented himself with writing a letter, which arrived at the Foreign Office after I had left England. I placed myself in Mr. White's hands and he telegraphed to you. You replied to the effect that I should be guided by Mr. White as to whether I should return or remain in Morocco.

3. As I had a house, servants, and animals at Casa Blanca, as well as a considerable amount of work to do there, I went on to Casa Blanca, and returned in a week to Tangier, with the intention of journeying on by the same boat to Gibraltar and thence home. I had a few hours at Tangier, where I learnt that M. Herbaux was arriving shortly in Morocco, and, under these circumstances, Mr. White expressed the opinion that it would be better for me to stay in Morocco. I accordingly returned to Casa Blanca, occupied myself with my work of preparation, and spent some time during December 1908 and January and February 1909 at Tangier, partly in convalescence from an attack of enteritis, which had prostrated me, and partly in the preparation of claims unconnected with the International Commission. I returned in the middle of February 1909 to Casa Blanca, and on the 31st March, 1909, the sittings of the Commission were resumed and continued, with a short break of a fortnight in August 1909, until the 6th January, 1910.

4. I have from time to time reported to you various matters connected with the Commission, which I thought should be brought to your immediate notice, and I do not propose in this Report to go over the ground again, except when it is necessary for me to do so, in order to develop the matters which I propose to deal with under three headings:—

(i.) Examination of the sums awarded by the International Commission, with especial reference to the claims in which I have been more particularly interested—that is to say, the claims of—

(*a.*) British subjects.

(*b.*) The claims of semsars of British subjects who, under the Convention of Madrid, 1880, Article 10, confirmed by the Act of Algeciras, Article 123, are on the same footing with regard to their property as British subjects. With these are also placed the Mkhazni's of the British Consulate and the employés of the British Post Office at Casa Blanca, and an employé of the British Post Office at Fez, who has interests in Casa Blanca.

(*c.*) The claims of persons enjoying Danish protection. These claims I was instructed by you in a telegram dated the 18th June, 1908, to present on the same terms as those of British subjects.

(*d.*) The claims of subjects of the Ottoman Empire. On the 8th June, 1909, Mr. Consul Madden was instructed from Tangier to protect the interests of subjects of the Ottoman Empire (despatch No. 29). Up

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to that time one or two claims of Ottoman subjects had been presented by the French Commissioner. I took it upon myself, with the ready consent of M. Herbaux, to present Ottoman claims after that date, and I insisted upon such Ottoman subjects signing an Agreement to pay 5 per cent. of the sums awarded by the Commission towards the British expenses for the Commission.

(*e.*) Claims of servants and employés of British residents. In each case the employers have personally agreed to be responsible for the 5 per cent. on the sums awarded to their dependents.

(*f.*) I also presented the claim of a Moorish subject who had for many years been resident in Manchester, and of another Moorish subject for many years resident in London. They also agreed to pay 5 per cent.

(ii.) I propose to deal with some points in the procedure and composition of the Commission. In these, I think, may be found a partial explanation of the inordinate duration of the Commission. I shall incidentally venture to make suggestions, which, in the event of such a Commission being held in the future, would in my opinion tend to greater efficiency and expedition.

(iii.) I propose to deal with some settlements of questions of law. In this matter I shall be obliged to crave your indulgence, for I had few books to consult in Morocco, and I should not wish to be taken to commit myself too definitely or dogmatically to any opinion or criticism until I have had the opportunity of consulting works of reference, which I had not at my disposal there.

I.—Claims and Awards.

5. I have the honour to enclose herewith a résumé (Table I) of the sums claimed by the subjects and semsars of the various Powers, and of the sums awarded to them by the International Commission. I cannot, unfortunately, suggest that any useful purpose would be served by a detailed comparison of the sums claimed with the sums awarded. In the first place, the sum stated to be claimed is not, in many cases, the sum originally claimed, but has often been modified on the suggestion of the Commissioner interested. Secondly, the amount claimed sometimes includes items which have not been awarded for purely legal reasons, as, for instance, that the loss sustained was indirect, or that the item claimed for should more properly be inserted in another claim.

6. I beg further to enclose a list of the claims of British subjects and semsars (Table II) showing the amount claimed, the amount recommended by the Preliminary Commission, (in some cases) the amount recommended by the Sub-Commission, the amount proposed by me to the International Commission, and the amount awarded by the International Commission. Here, again, I fear that the detailed comparison between the various figures would be of little use for the reasons which I stated above. I enclose also a list (Table II A) giving the amounts awarded *à qui de droit* in respect of lands and buildings occupied by the French and Spanish troops on the demand of British subjects and semsars, and of a Danish protected person.

7. I think that British claimants have reason to feel satisfied with the way in which their claims have been treated by the Commission. On the other hand, I am glad to be able to testify to the probity of the more important British claimants. I believe that this is a valuable asset of British trade in a country like Morocco, where the law of suppiy and demand does not prevail. This requires explanation. The Moor does not sell his grain to the highest bidder, but to his "friend." Unfortunately, I cannot say that the same high standard is universal among British subjects of Gibraltarian origin.

8. I further enclose a list (Table III) showing the amounts claimed by and awarded to the dependents of some British traders. In this list appear also the sums claimed by and awarded to a Moorish subject long a resident in London, and another Moorish subject long a resident in Manchester. No other Commissioner did anything to prepare such claims. I am strongly of opinion that the fact that the dependents of British subjects were more favourably treated than those of the subjects of other Powers will increase British prestige in the Shawia. These claims numbered 71, and their preparation involved much additional labour. The 5 per cent. on the awards will amount to a considerable sum.

9. I also beg to enclose a list (Table IV) showing the amounts claimed by and awarded to three subjects of the Ottoman Empire.

10. Further, I beg to enclose a list (Table V) of sums claimed by and awarded to Danish protected persons.

II.—Procedure and Composition of Commission.

11. In the Franco-Spanish note of the 19th October, 1907, which proposed the institution of the Commission, it was suggested to the members of the Commission that they should so far as possible follow the precedents of the Alexandria Commission. At Alexandria all the claims were first handed by the Commissioner interested to the "Contentieux" which was called upon to safeguard the interests of the Khedivial Government. They were subsequently submitted by the Commission to a Sub-Commission, and the Plenary Commission, in almost all cases, passed the award of the Sub-Commission without any alteration.

12. Such a procedure is obviously convenient and expeditious. At Casa Blanca there was no institution to take the place of the "Contentieux," but when the Commission began its work, it decided on the creation of Sub-Commissions, of which four were created. Mulai-el-Amin was unable, both on account of his great age and of his other functions, as representative of the Sultan in the Shawia, to work on the Sub-Commissions, but his two assessors served each on two Sub-Commissions. The experiment was a failure, for we found to our dismay that the Moorish Commissioners declined to accept the findings of the Sub-Commissions, and insisted on examining each case *de novo* in the full Commission, and so much time was lost by this, that on the 23rd July, 1908 (23rd meeting), it was decided, while keeping alive the Sub-Commissions, in view of their possible utility in particular cases, to submit, as a general rule, all claims directly to the Plenary Commission.

13. Up to the 31st March, 1909, we had been occupied exclusively with the claims of subjects or semsars, either of European nationality or of citizens or semsars of the United States of America, but we were then faced with the necessity of dealing with the claims of Mussulman and Israelitish subjects of the Maghzen. From our previous experience of our Moorish colleagues, we had serious reason to doubt that these claims would be properly prepared, and when the Israelitish claims, which were the first to be dealt with, came before the Commission, we found that our fears were only too justified. M. Navarro and myself strongly urged upon M. Herbaux from time to time the necessity of submitting these claims to Sub-Commissions, but M. Herbaux put the matter off from day to day.

14. I have reason to believe that this was because he had the hope that he would be able to leave after the completion of the European claims, and that he would be replaced by another French Commissioner. Unfortunately for M. Herbaux this was not the case, as, for reasons with which I will deal with later on, in speaking of the occupation of land and houses by the French and Spanish troops, all questions concerning Europeans were not concluded until the last sittings of the Commission.

15. However, on the 18th September, 1909 (245th meeting), it was decided to recommence work with Sub-Commissions so far as Moorish claims were concerned. Unfortunately this had been too long delayed, for, although work has been expedited by this reform, it took place too late, and the Sub-Commissions were occasionally bound to adjourn their sittings because the rare experts at the disposal of the Commission were unable to provide the Sub-Commissions with sufficient material.

16. Unfortunately, too, M. Schabinger, the German Commissioner, has been placed since September 1909 in charge of the German Consulate here, and has consequently rarely been able to attend the sittings either of the Sub-Commissions or of the Commission. It was, perhaps, somewhat inconsiderate on the part of the German Government, both to M. Schabinger and to the Commission, to have imposed upon him this duality of functions, and it is also clearly contrary both to the letter and to the spirit of the Franco-Spanish note of the 19th October, 1907, which says: "Les Gouvernements seraient invités à choisir leurs Délégués en dehors du personnel consulaire local."

17. M. Navarro, too, was taken ill of typhoid fever, and unable to attend our sittings. M. Capelleja, the Spanish Commissioner, speaks not a word of French, and neither M. Herbaux nor M. Bettoni speaks a word of Spanish. When I came out here I knew no Spanish, but, when I saw how useful it would be, I set to work to learn this

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language in my leisure time, and I was able to carry on the business of one of the Sub-Commissions with M. Capelleja in that language.

18. It is a curious fact that the Sub-Commissions, which were a hopeless failure with regard to European claims, have been a complete success with regard to Moorish claims. This I attribute partly to the change of Moorish Commissioners, for the new Moorish Commissioners have certainly shown themselves more conciliatory than their predecessors, and partly to the fact that our Moorish colleagues have recognized that they could place more reliance on the Moorish Commissioner on each Sub-Commission when he was dealing with Moorish claims than when he was dealing with European claims.

19. As I have already indicated, at the Alexandria Commission there was a proper legal authority representing the Khedivial Government. At the beginning of this Commission the Moorish Commissioners were assisted by M. Pimienta, a gentleman who is "agréé" to the Consular Tribunals at Tangier, but who possesses no legal qualification at all. He was a man of intelligence and ability, and certainly rendered valuable services. Unfortunately, after the 22nd August, 1908, the Maghzen thought fit to dispense with his services, which were never, owing to M. Pimienta's want of standing and authority, so valuable as those rendered at Alexandria by the "Contentieux."

20. I would venture to suggest that, should such a Commission be instituted again in a country like Morocco, where there is no competent and authoritative legal adviser, it would involve great economy of time if some person of legal attainments belonging to some neutral country were named to represent the interests of the Government, who would eventually have to pay the indemnities.

21. As you are aware, Sir, this Commission has been composed of six permanent European Commissioners, three permanent Moorish Commissioners, and from time to time of representatives sent from Tangier of the Governments not permanently represented on the Commission. This, I venture to say, is an unfortunate departure from the precedent of Alexandria, for which not the Commission, but the Franco-Spanish note and the Shereefian Decree are responsible.

22. At Alexandria, Powers not individually represented on the Commission were represented by a permanent Commissioner. The advantages of such an arrangement were great. The "Délégué mixte" had a vote on questions of procedure, whereas in our Commission the "Délégués spéciaux," as they were called, although we listened with patience and attention to the observations made by any of them, had no vote on questions of procedure. Again, the "Délégué mixte" had the right of voting on all claims, whereas the "Délégués spéciaux" had only the right of voting on their own claims. This, I know, they felt, placed them in a position of disadvantage. Again, the "Délégué mixte" learnt how the work was done at the same time as his colleagues, whereas five gentlemen came to us from Tangier who had no experience of our methods, and this entailed a deplorable loss of time.

23. I would wish to draw your attention to the composition of the Commission, so far as the European members are concerned :—

Germany—
Dr. Vassel, Consul.
Dr. Pröbster, Interpreter at the Legation at Tangier.
M. Schabinger, Interpreter at the Legation at Tangier.

Spain—
Señor Octavio Cuartero, "Teniente Fiscal" at the Supreme Court.
Señor Manoel Capelieja, "Auditor de las Fuerzas españolas"—that is, a member of the Military Judiciary, incorporated in the Spanish army.

Great Britain—
Mr. Thorne, Barrister-at-Law.

France—
M. Herbaux, Councillor at the Court of Cassation.

Italy—
Signor Ludovico Bettoni, Councillor at the Court of Cassation in Rome.

Portugal—
M. Navarro, Commercial Attaché at the Portuguese Legation in Madrid.

Austria and Hungary—
M. Georges de Pottere, Vice-Consul at Tangier.

Belgium—
Comte Humbert Laubespin, Secretary at the Legation in Tangier.
Prince Henri de Ligne, Secretary at the Legation in Tangier.

United States of America—
Mr. Hoffman Phillip, Consul-General at Tangier.

Netherlands—
Jonkheer de Jonge, Vice-Consul at Tangier.
M. Venning, Vice-Consul at Tangier.

24. All these gentlemen, with the exception of Mr. Hoffman Phillip, had some tincture of legal training. But, as you will note, some of the members were merely lawyers, whereas others were pre-eminently members of the consular or diplomatic careers. I venture to submit that on another occasion, should it present itself, it would be desirable, if possible, that the composition of the Commission should be either entirely legal or entirely consular and diplomatic. I believe that the lawyer, who is used to examining evidence, is more likely to reject unfounded claims, whereas it has been my experience on this Commission that three at least of the Consular representatives—Dr. Vassel, M. Schabinger, and M. de Pottere—have put political considerations before everything else, and, where a political object was to be gained, have been impatient of any examination of the evidence. This was notably the case in the claim of "Chalum Meloul," dealt with in *procès-verbaux* Nos. 18 to 20, when M. Herbaux and I fought hard, but in vain, for proper examination of the items of claim. It is true that MM. Cuartero and Bettoni followed in the wake of Dr. Vassel and M. de Pottere. This I attribute to the strong personality of Dr. Vassel. It was an additionally unpleasant feature of this case that Dr. Vassel's uncle by marriage, Mr. Brandt, was largely interested in this claim, and it seemed to M. Herbaux and myself that it would have been in better taste if these four gentlemen had not accepted an invitation to dinner with Mr. Brandt two days before the claim was passed.

25. I may possibly be led away in this by love of my own profession, but I believe that had the composition of the Commission been entirely legal, the decisions on questions of legal principle would not have been so deplorable, as I shall submit to you they have been in this Commission. It is only fair to add in this connection that, in my opinion, had M. Herbaux, the *de facto* President of the Commission, adopted a firmer attitude, we might have arrived at more satisfactory results.

26. I would now wish to say a few words on the characteristics of my colleagues.

27. M. Herbaux has in some respects remarkable qualities as a President. His capacity for work is almost incredible, and his courtesy has been unvarying. He has, however, acting, as I imagine from some remarks made by him to me, upon instructions from his Government, been the advocate of "peace at any price," and I feel strongly that if he had shown more determination, if, notably, he had firmly suggested as President that the Commission should decline to deal with claims until they were properly prepared by the Commissioners respectively responsible for their preparation, he could greatly have accelerated the work of the Commission.

28. The state in which some of the claims have been presented has been little short of a scandal. I know full well, from my own experience, what a difficult matter it is in a country like Morocco properly to prepare a complicated claim. In one case it took my clerk and myself close upon thirty days, of six hours each, to prepare the claim, but when the matter came before the Commission it was so absolutely ready that in two-and-a-quarter hours, although of great complexity, and involving the largest sum which up till then had been claimed, it was disposed of in Commission. Reference to the *procès-verbaux* will show that quite inconsiderable claims have occupied the Commission day after day entirely, as I suggest, from negligence on the part of the Commissioners responsible for their preparation.

29. The worst offender in this respect has been Signor Bettoni, who has little excuse, as he has had an inconsiderable number of claims to present. M. Bettoni has, moreover, on several occasions made declarations of glaring inaccuracy, both as regards questions of fact and questions of law, even where only the law of his own country was involved.

30. Señor Cuartero was a man of real culture and legal attainments, but, unfortunately, he spoke the French language quite unintelligibly, although with wonderful fluency. He also was to a great extent under the influence of the German Commissioner, and practically voted as Dr. Vassel told him to.

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31. His successor, Don Manoel Capelleja, is a man of a different and more energetic type, and though his claims have not been sufficiently prepared, he is hardly to blame for this, for when he succeeded Señor Octavio Cuartero he found a great number of them untouched, and he had the greatest number of claims to deal with of any Commissioner. In a much less degree M. Herbaux's claims were unprepared, but the work which the presidency of the Commission entailed upon him was so considerable that this is little to be wondered at.

32. The German claims were admirably prepared, and for this great praise is due to Dr. Pröbster, who was, first of all, secretary to Dr. Vassel, and afterwards succeeded him as Commissioner.

33. Dr. Vassel is a man of remarkable ability and personality, and I shall be astonished if he has not a brilliant future reserved to him. He is an extraordinary linguist, a thoroughly sound lawyer, and a man of engaging personality. Although I am sure that outside his functions Dr. Vassel is a man of unimpeachable honour, I do not believe that he would allow any scruple to stand in his way when he was exercising those functions. There is one weak point in Dr. Vassel's armour, and that is his excitable temper. He is liable to gusts of passionate anger, after which he is physically exhausted to such an extent that he is for the time incapable of carrying on his work with efficiency.

34. It is a curious fact that the three German Commissioners who have successively represented their country at our Commission have all been liable to these outbursts of temper. Dr. Pröbster was the best of the three in this respect, and though once or twice he let his temper get the better of him, he ended by yielding to reason. On one of these occasions, in the claim of M. Walter Opitz, he attempted to pass a highly doubtful item of claim, and though he admitted that items in respect of it appeared in M. Opitz's books, he refused to disclose the books. I insisted on the production of the books. Dr. Pröbster blustered, and M. Herbaux seemed inclined to yield. M. Navarro loyally supported me, and the next time that M. Opitz's claim came up for consideration, Dr. Pröbster quietly dropped this item of claim. Except for these one or two outbreaks, Dr. Pröbster was a model Commissioner, and I cannot pay too high a tribute to the care and elaboration with which he prepared his cases.

35. M. Schabinger, unfortunately, accustomed the Commission to a violence of language which it happily knew nothing of before his arrival. The best one can say of him is that he has defended the interests of German claimants with great ardour, but it would be untrue to add with discretion. He has insulted in turn each of his European colleagues, with the exception of M. Capelleja, who, I imagine, has only been saved by his ignorance of the French language. I have been told by M. Schabinger to remember that I am not now a barrister, pleading in the criminal courts. M. Bettoni has been told that "il ne comprend ni la logique ni le Français"—a charge all the more wounding because of its comparative truth.

36. But M. Schabinger's most remarkable exhibition was reserved for the President. M. Schabinger had put a question to a witness, and M. Bettoni had objected to the question being put in the proposed form. This aroused M. Schabinger's ire, and he commenced a long tirade. M. Herbaux, with a laudable wish to quell the storm, mildly interjected: "Mais, M. Schabinger!"—— M. Schabinger violently interrupted: "Je ne permets à personne, même à vous, de me reprocher mon langage."—— M. Herbaux: "Mais je ne vous ai rien reproché!"—— M. Schabinger: "Mais vous alliez me le reprocher!"——

37. I have great friendship for M. Schabinger outside the Commission, and certainly his violence of language has left me unmoved, and, with the exception of M. Bettoni, my other colleagues have received it with equal equanimity. Unfortunately, however, after the rejection of the claims of the German semsars Hadj-bel-Hadj and Mohamed-ben-Larbi, M. Schabinger wasted time by a deliberate policy of obstruction where other country claims were in question.

38. M. Navarro at the beginning of the Commission showed some weakness, but has for the greater part of the time been an admirable Commissioner, and has presented his own claims in the most praiseworthy fashion.

39. I have already expressed to you my opinion of M. de Pottere on a former occasion, and I do not propose to repeat myself.

40. While I am on the subject of the composition of the Commission, there is a matter cognate to this subject with which I would wish to deal. The Commissioners have had to exercise the functions both of advocate and of judge. The disadvantages of such a position are obvious. It is evident that it requires the nicest mental and

moral balance to fulfil adequately the two functions. The difficulties, great as they are to other Commissioners, are intensified in the case of the Commissioner who occupies the office of President.

41. I strongly hold the opinion that, should such a Commission be held in future, it would be advisable that each of the nationalities should be represented by a preliminary Commission composed of the notables of its trading community and of its Consul. This, as you are aware, was done by the British and German Governments for our Commission; but I suggest, further, that a legal assessor should sit upon such preliminary Commissions, and that it should be his duty to present the claims to the Commission, which would afterwards be constituted of other members who would merely sit as judges. This may appear at first to be a more expensive course than those adopted at Alexandria or Casa Blanca, but I am strongly convinced from my experience here that the opposite would be the case, and that less money would be spent in the end, and that also considerable friction would be avoided.

42. In one respect we have been at a disadvantage as compared with the Alexandria Commission, and that is, we have had to deal with claims for specie and jewellery, which, with works of art, were definitely excluded from their competence. I strongly suspect, and I know that some of my colleagues share my suspicion, that some of the claims for jewellery were not only fraudulent, but backed up by fabricated invoices. With regard to "specie," I believe that we have been deceived on more than one occasion. I cannot express an opinion on works of art, for they do not appear to exist in Casa Blanca. I believe it would mean great economy of time if, in any future Commission, claims for "specie," "jewellery," and "works of art" were to be excluded from the purview of the Commission, but I should be inclined to suggest an exception, in the case of specie for banks, in the case of jewellery and works of art, in the claims made by persons whose business it was to buy and sell jewellery or works of art.

III.—Questions of Law.

(10th Meeting of Commission.)

(1.) *Question of Depreciation of Goods which it was impossible to land, and which, consequently, had to be sent back to the Country of Origin.*

43. The Commission, by a majority, adopted the view put forward by me, that only in the case of an "intrinsic" depreciation could an indemnity be awarded, and *not*, in the case of what was styled "dépréciation vénale," *i.e.*, a depreciation due to the falling of markets.

(2.) *The Expenses of re-forwarding Goods which it was impossible to land.*

44. By a majority of one, the Commission decided that these expenses came within the category of "*direct* damages." I was the only European Commissioner who voted in the contrary sense. I am still strongly of opinion that this is "*indirect* damage."

(3.) *Losses occasioned by Rupture or Inexecution of Contracts.*

45. Extraordinary as it may seem, four Commissioners, MM. Vassel, Bettoni, Cuartero, and Navarro, were found ready to vote that this came within the category of "direct damages," but the majority, consisting of M. Herbaux and myself and the three Shereefian Commissioners, carried the day. On the other hand, the Commission decided that "loss" occasioned by the interruption of the *manufacture* of articles *ordered before* the events was "*direct* damage." M. Herbaux voted in this sense; I was the only European Commissioner to vote against the proposition. It seemed to me then, and it seems to me still, that the point of view adopted by the Commission is indefensible.

(4.) *Rents paid in advance by the Tenant of Premises destroyed.*

46. We decided unanimously, with the exception of the Moorish Commissioners, that this was a "*direct* damage."

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(11th Meeting.)

(5.) *Interest on the Amount of Awards.*

47. We decided unanimously that "interest" would come within "indirect damages"—rightly, I think.

(6.) *Refuge Expenses.*

48. The Commission eventually decided that refuge expenses would be accorded to Tangier, Gibraltar, or Cadiz. I was opposed to the granting of an indemnity in these cases under any circumstances whatever, except when it could be shown that goods which would otherwise have been pillaged had been saved, and, consequently, the Maghzen were saved having to pay for them. As I was in a minority of one on this occasion, and as I was, and still am, strongly of opinion that our decision was an absolute violation of the Shereefian Decree, I beg to quote the very accurate summary of what I said, which appears in the *procès-verbal* of the 11th sitting :—

> "M. Thorne (Grande-Bretagne) déclare qu'il appliquera encore ici le principe qu'il a posé dès le début : Les frais doivent-ils être faits pour sauver des objets du pillage et pour éviter ainsi les dommages à la propriété mobilière? Alors nous accorderons des indemnités pour le montant des objets sauvés. Cela paraît conforme au Décret chérifien qui a institué la Commission. Mais si les frais ont été faits pour sauver des existences, ce n'est plus à la Commission qu'il appartient de les compenser par des indemnités, puisque la Commission n'a à s'occuper que des dommages à la propriété.
>
> "Il s'agirait alors pour les Puissances intéressées de faire valoir les droits des réclamants par une action directe envers le Makhzen."

49. Once the Commission had voted the principle, it seemed to me illogical to restrict the expenses to Tangier, Gibraltar, and Cadiz, especially when it could be shown that the persons fleeing from Casa Blanca had no family in any of those three places ; but all I could get the Commission to concede was that—

> "la Commission décide d'accorder, dans ces cas, des indemnités, mais pour des raisons absolument majeures et exceptionnelles, et sans tenir compte d'ailleurs des frais de séjour et de retour."

50. I am of opinion that the restrictions (*a*) in confining refuge expenses to three places, and (*b*) in refusing the return expenses, are absurdly illogical, and can only be explained by the existence of an uneasy feeling in the minds of my colleagues, that in voting the principle at all they were exceeding their rights.

(7.) *Expenses of Experts.*

51. The Commission decided unanimously that these should only be accorded when it was absolutely necessary that the *expertise* should take place immediately ; that is to say, where the traces would otherwise disappear.

(8.) "*Lucrum Cessans.*"

52. We decided that the "manque à gagner," *i.e.*, the *lucrum cessans*, was an "*indirect* damage." This decision was, in my opinion, so obviously right, that I do not intend to comment upon it.

(9.) *Articles in Pawn.*

(12th Meeting.)

53. The Commission decided that the indemnity awarded to the person depositing the goods should be the value of the goods minus the money advanced to him, and

interest, if any ; whereas the lender should receive the amount of the advances made by him, plus interest at 7 per cent. per annum up to the day of the pillage. In my opinion, that is a sound decision.

(10.) *Occupation of Lands and Buildings by the French and Spanish Troops.*

54. The Commission decided unanimously, with the exception of the Spanish Commissioner, that the Commission was competent to deal with this matter. (See despatches : 37719, November 16, 1907 ; 38936, November 26, 1907 ; 39582, December 2, 1907 ; 446, January 6, 1908 ; 1261, January 13, 1908 ; 1712, January 17, 1908 ; and 14961, May 2, 1908.)

55. The position with regard to this matter was somewhat curious. You, Sir, had kindly placed at my disposal all the correspondence with His Majesty's Ambassador in Paris with regard to this subject. M. Herbaux seemed at first unwilling that the Commission should deal with this matter. M. Pichon apparently had not communicated to him his (M. Pichon's) view of the question. I was able to reassure M. Herbaux on this point, and luckily M. de Beaumarchais, the Second Secretary of the French Legation in Tangier, happened to be in Casa Blanca at the time, and assured M. Herbaux that the French Legation would view with relief the solution of these questions by the Commission.

56. I would wish, Sir, to say at this point how grateful I am to you for having placed all the materials at my command. Not only on this, but on many other occasions have the documents which you confided to me placed me in a position of advantage with respect to my colleagues, and have also, I hope, made it possible for me to render service to the Commission.

57. I am of opinion that this decision to deal with the "occupation claims" is clearly justified by the terms of the Shereefian Decree, which says that the Commission is competent to award "indemnities" for *direct* damages caused by the pillage "et par l'action répressive qui a suivi." Unfortunately, when the experts appointed by the Commission to enquire into these claims gave their reports, they caused almost general dissatisfaction, and the Commission decided that a committee of residents of Casa Blanca, well versed in the values of land, should present another report.

58. A representative was appointed by each of the Commissioners for Great Britain, Germany, France, and Spain. It was, of course, necessary that such representatives should not be themselves interested in the occupation claims. I was placed in something of a difficulty, for all the British subjects whom I could have appointed were either themselves interested in claims with regard to occupation, or were employed by commercial houses who were interested in such claims.

59. I therefore invited M. Walter Opitz, a well-known German resident, to represent British interests on the Committee. He was good enough to accede to my request, although I know he did so at great personal inconvenience. His services were rendered gratuitously, and I should be grateful if you could find it possible to thank him for undertaking an arduous and ungrateful task without fee and without reward.

60. At the 12th meeting a question was raised by M. Bettoni with regard to damages inflicted as reprisals for acts of hostility committed. MM. de Pottere and Laubespin expressed the opinion that, in a country governed by Capitulations, any authority other than the consular authority could not exercise reprisals against protected subjects. On the suggestion of M. Herbaux this question was reserved, and it was never definitely settled by the Commission.

61. Here I may be permitted, perhaps, to open a parenthesis. I have had occasion to say very hard things of M. de Pottere, but it is due to his insistence that the Commission began by settling a number of questions of principle. M. Herbaux suggested that those questions should be dealt with as they arose, and I supported his suggestion. At the time we were under the impression that we had a much less considerable number of claims to deal with than was subsequently found to be the case, and I felt that questions might be discussed which would never, in fact, arise. I believe now that I was wrong, and it certainly would have saved time if the question, with a greater development than M. Bettoni had given to it, had been settled then and there.

62. As a matter of fact, in the claims of Hadj-bel-Hadj and Mohamed-ben-Larbi, a ruling of the Commission on this point would have saved hours of discussion. The

question which, if we had to begin over again, I would wish to see definitely settled is this:

"Where a claimant has taken part in the combats against the French or Spanish troops, or has been guilty of acts of pillage, may he claim an indemnity for damages, even when those damages have *not* been inflicted upon him as a punishment for his acts of hostility or pillage?"

63. I have clearly expressed my opinion that he cannot do so. M. Schabinger put it definitely to M. Herbaux whether he accepted my point of view. The question was pertinent with regard to a part of the claim of Hadj-bel-Hadj, when a bastion had been destroyed by the French military authorities, not as punishment for acts of hostility by Hadj-bel-Hadj, but as a purely military measure. M. Herbaux spoke at considerable length, but did not answer the question of M. Schabinger.

64. In the whole of these two affairs, M. Herbaux bases his refusal to award an indemnity to the two claimants on the ground that "a claimant cannot ask for an indemnity for damages which have been inflicted upon his property as a punishment for his acts of hostility." M. Bettoni, in conversation with me outside the Commission, definitely stated as his view that when the damage was unconnected with any idea of punishment, acts of hostility could not shut anyone out from claiming. MM. Navarro and Capelleja adopted my point of view.

65. The question arose again in the claim of a Moorish subject, which came before the Sub-Commission, of which M. Capelleja and myself were members. It was clearly proved to us that the claimant had been one of the ringleaders of the pillage, and we advised the Commission to reject the claim on this ground. There was no suggestion that the damages claimed for had been inflicted as a punishment. M. Herbaux then accepted my view with regard to this case, and M. Bettoni, when I pointed out to him that I thought he might have taken a different view, made a distinction, the force of which I fail to understand, between the position of a claimant who is proved to have taken part in pillage and that of one who is proved to have fought against the French or Spanish.

66. In these cases M. Schabinger also raised the question which had been raised at the 12th sitting, by MM. de Pottere and Laubespin, as to the right of punishing a protected person otherwise than through the Consular Court of the country by which he is protected. I expressed the opinion, to which I adhere, that it is sound international law that, where there is an army of occupation, or a "corps de débarquement," which may be assimilated to an army of occupation, the General Commanding has the right to order reprisals against the subject and *a fortiori* the protégé of any foreign Power.

(11.) *The Question of Debts.*

(13th and 14th Meetings.)

67. With regard to the question of debts we were face to face with a considerable difficulty. If we had followed the precedent of Alexandria we should not have accorded any indemnity for debts, and we should have inflicted, in some cases, a very severe injury on persons who had traded with Morocco. The debtors may be divided into two categories:—

(*a.*) Subjects of foreign Powers and the semsars of the subjects of foreign Powers.
(*b.*) Subjects of the Maghzen.

68. With regard to the first category (*a*), the position of the creditor was simple. He had, in any case, the right to sue his debtor before the Consular Tribunal, where the country of the debtor was represented by a Consul *de carrière*, or before the tribunal of the Legation at Tangier, where the country of the debtor was represented at Casa Blanca only by a trading Consul. On my suggestion we extended to the creditor the principle of Article 1166 of the French Civil Code, which says:—

"Néanmoins les créanciers peuvent exercer tous les droits et actions de leur débiteur, à l'exception de ceux qui sont exclusivement attachés à la personne."

69. We also decided that the indemnity might be accorded to the creditor, on his demand, with regard to merchandise which he had sent, if, at the moment of the damage, the goods had not yet been delivered at the premises of the debtor, and/or if

the debtor had not sold them again, by endorsing the documents. This is following the principle of Article 576 of the French Code of Commerce, dealing with bankruptcy. So much for the first category.

70. It was the second category (*b*) which offered difficulties. The position was not the same as at Alexandria, and if we had placed debts due by Moorish subjects on the same footing as those due by persons of the first category, it would have meant that practically no money would have been recovered at all. At Alexandria there were tribunals to which appeal could be made by the creditor, and which offered guarantees. Here there were only the kadis, whose jurisdiction offered no kind of guarantee.

71. I felt myself in a great difficulty, but I learnt that an important claimant—that is to say, the State Bank of Morocco—had debited the Maghzen with the amount of all bills accepted by Moorish subjects, who, owing to the events of Casa Blanca, had been unable to pay, and I felt that I could not vote against a proposition which would only place British claimants in the same position as the State Bank. There was also cited to us the precedent of the indemnities accorded for the destruction of the Kasbah of M'zab in 1895. Under these circumstances, I voted with my colleagues for the proposition of Dr. Vassel—

"En ce qui concerne spécialement les créances existant contre des commerçants ou agriculteurs, sujets marocains, et soumis à la juridiction du Maghzen, la Commission allouera des indemnités aux créanciers pour le montant du capital aux conditions suivantes:—

"Le créancier devra établir que la créance était bonne et valable, qu'elle était née d'opérations loyales et qu'elle n'est devenue irrécouvrable qu'à raison de dommages causés au débiteur par les actes insurrectionnels ou l'action répressive.

"Ne seront pas prises en considération à cet égard les créances commerciales nées après le 10 août, 1907, soit postérieures au 1er janvier, 1908, ni les avances faites pour le commerce des bestiaux ou des produits de l'agriculture, si ces avances ne présentent pas un caractère de continuité jusqu'aux événements d'août 1907.

* * * * * *

"Il est entendu au surplus que le remboursement des indemnités dont il s'agit sera assuré par l'exercice d'un recours contre les débiteurs."

(12.) *The "Demetian."*

72. I wish to deal shortly at this point with the question of the "Demetian" claim. As you are aware, the "Demetian," which is the property of Steam-ships "Demetian" and "Ordovician" Company (Limited), was in the harbour of Casa Blanca at the moment of the massacre on the 30th July, 1907. At the written request of Mr. Consul Madden, Captain Jones, the master of the "Demetian," took on board members of the French and British Colonies. He also received on board a number of Moorish subjects. Had the Commission not voted the principle of "refuge" expenses, I should have experienced great difficulty in supporting the claim of the "Demetian," but, under the circumstances, I did not feel bound to dissent from the views of my colleagues.

73. I was informed by the Foreign Office in a letter dated the 29th March, 1909, that the French Government had paid to the Managers and Directors of the Steam-ships "Demetian" and "Ordovician" Company (Limited) the sum of 17,982 fr. 25 c., being at the rate of 10*s.* per head per diem for 130 refugees of French nationality from the 31st July to the 10th August, inclusive. They then signed a form of receipt which had been drawn up by me, of which I annex a copy, marked (A). Under this heading the sum of 18,018 fr. was awarded; the difference lies in the higher rate of exchange given by the Commission.

74. In the same way the British Government had paid the sum of 28*l.* to the Steam-ships "Demetian" and "Ordovician" Company (Limited), and the Managers and Directors signed in that respect the document, marked (B). The sum of 705 fr. 60 c. was awarded under this head. A sum of 25,225 fr. 20 c. was awarded with respect to Moorish refugees, and a further sum of 4,036 fr. 20 c. for expenses in the port of Casa Blanca.

75. As you see by the documents annexed, the sums paid out by the British and French Governments will be returned to them.

76. At the commencement of our work we had only one Secretary, M. Marchand, French Vice-Consul at Larache. I cannot speak in too high terms of M. Marchand's intelligence, courtesy, and industry. The work was too much for one man, and M. Marchand's health broke down, and he was seriously ill for some time. When the Commission recommenced its work on the 31st March, 1909, M. Maigret, Vice-Consul of the French Consulate in Casa Blanca, was appointed as Assistant Secretary, and the two Secretaries co-operated, until on the 7th October, 1909, M Marchand was sent to Tetuan to create the Vice-Consulate *de carrière* there. From that time on, M. Maigret has been the sole Secretary, and has admirably fulfilled his task. It was perhaps rather hard that M. Marchand, who had borne the burden and heat of the day, should not have been allowed to stay to the end of the Commission, and I fear that the fact that he was not with us to the end may cause the great services he rendered to be overlooked. I confess, Sir, that it would be a great relief to my mind if I could think that M. Pichon would be informed by His Majesty's Government how very highly the British Commissioner esteemed M. Marchand's work on the Commission.

77. Great services have been rendered to me, personally, by Mr. David Benzaquen, in the character of Interpreter. Mr. David Benzaquen is a British subject, born in Gibraltar, and is thoroughly conversant with the English, French, Spanish, and Arabic languages. He has rendered these services, without fee, on many occasions, and I venture to think that it would be a gracious act if a gratuity could be awarded to Mr. David Benzaquen.

78. My clerk, Mr. Black-Hawkins, has acquired, since he has been with me, a complete mastery of the difficult art of preparing a claim in this country. His industry has been untiring, and not only has he aided me in the work of the Commission, but he has also co-operated in the preparation of claims for the Legation at Tangier. When I was recovering from enteritis Mr. Black-Hawkins practically prepared, alone, a claim of great complexity, which had to be completed in a short while. All that was left for me to do was to put a finishing touch here and there. Mr. Lister expressed, in a letter to me dated the 13th May, 1909, his high appreciation of Mr. Black-Hawkins's work, and I can assure you, Sir, that he did not say a word too much. Mr. Black-Hawkins has decided to remain in this country for some time at least, and I should like to think that the knowledge and experience he has acquired, as my clerk, might subsequently be made further use of.

I have, &c.

W. H. H. THORNE.

TABLE I.

TABLEAU RÉCAPITULATIF.

Désignation des Puissances.	Nombre des Réclamations présentées.	Sommes réclamées.	Sommes allouées.
		Fr. c.	Fr. c.
Allemagne	136	2,469,491 65	1,297,502 92
République Argentine	6	103,099 75	16,137 50
Autriche-Hongrie	9	273,018 85	151,578 7
Belgique	9	143,810 62	84,101 0
Brésil	35	282,198 8	117,625 75
Cuba	1	11,772 0	6,300 0
Danemark	5	50,953 29	50,953 29
Espagne	306	4,850,193 96	2,538,106 66
États-Unis d'Amérique	12	378,995 82	140.525 60
France	208	4,601,789 74	1,877,854 33
Grande-Bretagne	109	2,135,039 88	1,748,921 34
Italie	49	901,827 63	419,633 45
Maroc (Israélites)	1,536	2,215,375 5	960,841 35
Maroc (Musulmans)	983	6,231,670 9	2,740,241 6
Pays-Bas	5	69,210 97	45,410 63
Portugal	62	1,302,367 63	503,451 69
Suède	27	227,900 74	210,314 9
Suisse (protégés allemands)	1	18,540 70	6,866 70
Suisse (protégés français)	5	53,426 15	27,019 40
Turquie	5	76,938 87	56,696 40
Réclamations d'un caractère international ..	4	75,744 70	69,544 70
Totaux	3,506	26,473,366 17	13,069,625 93*

RÉCLAMATIONS formées pour l'Occupation d'Immeubles par les Troupes françaises et espagnoles.

Allemagne	14	Alloué	53,171 74
Danemark	1	"	5,047 65
Espagne	13	"	10,563 60
France	13	"	99,309 35
Grande-Bretagne	10	"	15,020 78
Italie	5	"	6,233 23
Maroc	1	"	25 0
Portugal	3	"	3,525 0
Suède	1	"	2,844 50
Totaux	61	..	195,740 85*

* The figures given in the original tables were 13,069,642 fr. 52 c. and 195,710 fr. 85 c. respectively. The present figures have been substituted after careful checking of the British claims.

PUBLIC RECORD OFFICE, LONDON

TABLE II.

No.	Name of Claimant.	Dates upon which Claim was Passed.	No. of Meeting.	Original Sum Claimed.	Sum awarded by the Preliminary Commission.	Sum awarded by the Sub-Commission.	Sum awarded by the International Commission, as suggested by the British Commissioner.	Remarks.
				Fr. c.	Fr. c.	Fr. c.	Fr. c.	
1	Abdeslam, Rais Mohamed Ben	July 28, 1908 ..	24	4,480 0	2,240 0	2,240 0	2,240 0	
2	Afriat, Aaran, and Co...	April 19, 1909 ..	64	26,724 30	4,644 25	3,047 79	3,047 79	
3	Anglo Foreign Produce Company, Limited	July 5, 1909 ..	166	9,381 54	1,271 13	..	1,271 13	
4	Artesani, J. F.	..	..	13,608 0	..	..	..	Withdrawn.
5	Appleton, Machin, and Smiles, Limited ..	April 19, 1909 ..	63	13,545 85	7,128 66	..	3,517 80	
6	Asquiu, Hamido	April 19, 1909 ..	63	7,604 73	3,150 0	..	800 0	
7	Asayag, Moses R.	April 19, 1909 .. 64 April 24, 1909 .. 72 June 23, 1909 .. 150		75,904 29	32,784 47	..	21,787 80	
8	Attias, Abraham	June 29, 1908 ..	5	59,220 0	8,946 0	8,883 0	8,883 0	
9	Alvarez, Ramon	June 29, 1908 .. 6 Aug. 9, 1909 .. 215		7,967 75	5,309 0	6,025 50	6,559 50	
10	Alvarez, Mrs. Florentine	June 29, 1908 ..	5	4,636 80	4,636 80	4,636 80	4,636 80	
11	Anglican Church	June 29, 1908 ..	5	7,592 25	7,592 25	8,247 50	8,328 60	
12	Abdeslam, Hadj Kaddor Ben	June 30, 1908 ..	7	869 50	869 50	869 50	869 50	
13	Amor, Mrs. Simi Bint	July 28, 1908 ..	24	2,272 70	2,272 70	1,125 0	1,125 0	
14	Benzaquen, Samuel J...	April 19, 1909 ..	63	2 025 24	1,908 5	..	761 49	
15	Bland, M. H., and Co.	Aug. 5, 1909 ..	211	5,491 50	2,405 66	..	..	Rejected.
16	Bolton, W. T.	May 3, 1909 ..	84	15,158 85	15,158 85	..	14,142 3	
17	Brooks, Cornwell, and Co., Limited ..	June 26, 1909 ..	154	57,456 0	17,110 80	..	10,478 80	
18	Brandon and Company	June 26, 1909 ..	155	2,261 70	2,261 70	..	2,398 41	
19	Broome, R. H.	June 26, 1909 ..	155	2,951 23	2,951 23	..	894 26	
20	Benzaquen, Benoliel, and Co.	May 3, 1909 ..	84	12,164 78	5 844 51	..	4,843 73	
21	Baelz, Robert, and Co.	Aug. 5, 1909 ..	211	7,017 74	6,475 14	..	5,632 56	
22	Benzaquen, Mrs. A.	April 19, 1909 ..	64	8,089 20	4,032 0	..	4,194 60	
23	Bendahan, Benjamin	April 19, 1909 ..	63	3,993 30	Not examined	..	3,993 30	
24	Batger and Co.	April 19, 1909 ..	63	711 46	Not examined	..	711 46	
25	Benabu, Mrs. Sarah	July 28, 1908 ..	24	6,528 90	4,769 50	4,120 10	4,314 0	
26	Benoliel, David	Jan. 2, 1910 ..	329	2,690 0	2,690 0	..	2,690 0	
27	Benzaquen, David S.	June 29, 1908 ..	6	6,249 0	3,016 0	3 528 0	3,528 0	
28	Butler, J. M...	June 29, 1908 ..	6	1,356 60	1,356 60	1,356 60	1,356 60	
29	Butler, H. F.	July 20, 1908 ..	19	24,888 15	24,888 15	24,888 15	24,888 15	
30	Benani, Taleb and Lazarac, Bros.	June 26, 1909 .. 154 Aug. 11, 1909 .. 220 Sept. 13, 1909 .. 240		113,324 40	22,075 20	..	82,648 11	

31	Benzaquen, Abraham, with Carlos Atalaya and Chalum Meloul	Aug. 7, 1909 ..	214	936 50	..	..	936 50	
32	Bishop and Co.	Aug. 16, 1909 ..	226	[312 48]*	..	..	312 48	Originally included in claim of Toledano and Levy.
33	Cansino, H., and Sons..	June 26, 1909 ..	154	4,787 16	2,393 16	..	4,121 15	* Not included in total of sums originally claimed, because included in sum originally claimed by Toledano and Levy.
34	Cohen, Mrs. Annie	July 28, 1908 ..	24	5,204 50	5,204 50	2,411 80	2,511 80	
35	Cross, Alfred H.	July 20, 1908 ..	19	21,635 10	16,254 0	16,254 0	17,514 0	
36	Cansino, H.	Oct. 2, 1909 ..	252	252 0	..	..	252 0	
37	Daniels, E. T.. and Wise	April 24, 1909 ..	72	1,218 63	1,141 25	..	426 21	
38	Distillers' Company	April 19, 1909 ..	63	303 45	303 45	..	300 0	
39	Frean, Peek, and Co., Limited ..	May 17, 1909 .. 104 Dec. 15, 1909 .. 314		3,257 0	1,363 53	..	1,559 98	
40	Fernau, E. B.	May 17, 1909 ..	104	105,355 53	69,073 20	..	72,402 75	
41	Fernau, G. H.	June 26, 1909 ..	154	93,114 0	53,652 37	..	65,626 71	
42	Fernau, G. H., and Co., Limited	May 17, 1909 .. 103 July 5, 1909 .. 167		502,264 98	182,457 3	..	78,177 35	
43	Grieve, Mrs. A.	July 28, 1908 ..	24	8,125 0	5,040 0	5,040 0	5,040 0	
44	Gabay, Samuel	June 30, 1908 ..	7	5,579 25	3,780 0	3,780 0	3,780 0	
45	Gautier, Emilio	July 28, 1908 ..	24	39,261 60	19,630 10	19,630 10	20,806 50	
46	Gautier, Ernesto	July 28, 1908 ..	24	11,375 0	4,362 0	4,362 0	4,362 0	
47	Gautier, MM. Emilio and Ernesto, Bros.	June 7, 1909 .. 127 June 26, 1909 .. 154		114,530 43	49,439 25	..	82,308 85	
48	Ghezuli, Hadj Mohamed	April 19, 1909 ..	64	51,530 85	6,300 0	..	6,300 0	
49	Ghio Nicholas	June 30, 1908 .	7	101,052 0	21,223 0	13,747 20	13,747 20	
50	Gautier and Balthaser..	June 7, 1909 ..	127	[11,810 6]†	..	..	11,810 6	Originally included in claim of MM. Gautier Bros.
51	Ghali, Solomon El	July 28, 1908 ..	24	875 60	875 60	875 60	875 60	† Not included in total of sums originally claimed, because included in sum originally claimed by Gautier Bros.
52	Harrison and Crossfield	June 7, 1909 ..	127	58,293 6	45,618 40	..	18,904 63	
53	Henry, A. and S., and Co.	June 23, 1909 ..	150	110,942 37	74.718 32	..	69,234 57	
54	Hedia, Abdellah Bil	July 28, 1908 ..	24	2,520 0	2,520 0	2,520 0	2,520 0	
55	H'jamy, Abdelcader	Aug. 9, 1909 .. 216 Oct. 2, 1909 .. 252		26,474 50	Not examined	..	12,409 8‡	
56	Habshi, Mohamed ben Ahmed el Herizi el	Dec. 15, 1909 ..	314	3,313 36	Not examined	..	2,180 0	
57	Jacobs and Co., J. and A.	Dec. 26, 1909 ..	320	1,794 60	Not examined	..	112 87	
58	Kadmiri, Omar	July 5, 1909 ..	166	4.594 15	Not examined	..	1,760 0	
59	Laredo and Bengio	..	..	149,512 40	13,204 80	..	..	Withdrawn.
60	Laubenburg, C. H., and Co. ..	June 26, 1909 .. 155 Dec. 11, 1909 .. 312		24,263 17	10,558 80	..	6,621 05	
61	Lazarac, T., Bros.	Aug. 13, 1908 ..	42	54,029 50	54,029 50	..	54,004 30	
62	Levy and Co. (Oran)	..	..	5,080 32	..	..	..	Withdrawn.
63	Levy and Co. (Gibraltar)	Apr. 19, 1909 ..	63	20,613 8	3,682 98	..	3,735 0	
64	Labos, Mordecai	Apr. 19, 1909 ..	63	6,426 0	2,772 0	..	2,090 0	

‡ The amount appearing in the *procès-verbaux* is only 11,922 fr. 7 c., but the correct amount is as above. In the event of any difficulty, I beg to suggest that the dossier should be referred to. Mr. Black-Hawkins informs me that it clearly appears therefrom that a sum of 487 fr. 1 c. awarded for destruction of a first shop is wrongly omitted from the *procès-verbaux*. The dossier is in the hands of His Majesty's Consul, Casa Blanca.

PUBLIC RECORD OFFICE, LONDON

TABLE II—*continued.*

No.	Name of Claimant.	Dates upon which Claim was Passed.	No. of Meeting.	Original Sum Claimed.	Sum awarded by the Preliminary Commission.	Sum awarded by the Sub-Commission.	Sum awarded by the International Commission, as suggested by the British Commissioner.	Remarks.
				Fr. c.	Fr. c.	Fr. c.	Fr. c.	
65	Lamb, Cornelius	Apr. 19, 1909 ..	63	38,191 86	38,191 86	..	32,950 26	
66	Lamb, Bros.	June 7, 1909 ..	128	811,105 68	482,667 36	..	293,425 32	
		July 22, 1909 ..	191					
67	Lapeen, John	Aug. 11, 1909 .	219	88,316 55	29,584 80	..	24,376 98	
68	Lasry, Isaac H.	Apr. 19, 1909 ..	64	15,629 4	8,371 44	..	7,315 0	
69	Lomas, E. G.	..	..	903 42	903 42	..	..	Presented through diplomatic channels.
70	Lapeen, William	July 5, 1909 ..	166	5,000 0	Not examined	..	1,500 0	
71	Levy, Moghluf . ..	July 21, 1909 ..	189	..	..	..	2,126 40	Originally in the claim of "Toledano and Levy."
		Aug. 16, 1909 ..	226					
72	Martin, J., and Co.	..	..	1,512 0	1,512 0	..	..	Withdrawn.
73	Mazawattee Tea Company, Limited .	Apr. 19, 1909 ..	64	30 24	30 24	..	30 24	
74	Mersey Steam-ship Company	Dec. 8, 1909 ..	311	61,992 0	..	..	..	Rejected.
75	Murto Bros.	June 7, 1909 ..	127	26,340 62	3,727 8	..	4,344 17	
76	Malka, Isaac	July 5, 1909 ..	166	77,156 10	28,239 75	..	36,227 32	
		July 15, 1909 ..	181					
		Dec. 15, 1909 ..	314					
77	Murdoch, L. C.	May 3, 1909 ..	83	22,028 27	22,028 27	..	23,482 55	
78	Murdoch, Butler, and Co. ..	May 3, 1909 ..	83	558,198 48	369,294 45	..	301,304 25	
		July 5, 1909 ..	166					
		Dec. 15, 1909 ..	314					
79	Mikwar, Hadj Taher Ben ..	Aug. 9, 1909 ..	215	5,928 0	Not examined	..	3,567 90	
		Nov. 24, 1909 ..	296					
80	Malka and Mesod Fdeda	July 5, 1909 ..	166	..	..	..	1,625 0	Originally included in the claim of "Isaac Malka."
81	Malka and Edhery	July 5, 1909 ..	166	..	..	..	650 0	Originally included in the claim of "Isaac Malka."
82	Maati, Ali Bil	June 26, 1909 ..	155	1,737 23	1,485 23	..	2,624 93	
83	Nephew, Reinach, and Co. ..	May 3, 1909 ..	84	54,416 78	21,427 49	..	14,811 1	Should appear as "Reinach's Nephew and Co.
		June 24, 1909 ..	150					
84	Nahon and Benasayag	May 17, 1909 ..	103	30,239 79	Not examined	..	6,959 80	
85	Novella, Hippolyte	June 26, 1909 ..	154	1,801 80	1,801 80	..	1,622 72	
86	Novella, John	June 7, 1909 ..	128	7,560 0	1,543 50	..	1,575 0	
87	Nahon and Zagury	May 17, 1909 ..	103	30,608 88	Not examined	..	11,000 0	
88	Oliver, John	May 3, 1909 ..	84	40,786 20	36,502 20	..	35,641 73	
89	Ohana, Simon D.	June 26, 1909 ..	154	179,298 0	36,679 43	..	29,509 29	
90	Ordovician and Demetian Steam-ship Company, Limited	July 5, 1909 ..	166	47,985 0	Not examined	..	47,985 0	
91	Payne, G., and Co.	..	..	79,227 44	..	..	..	Withdrawn.
92	Parke, Edith J.	June 30, 1908 ..	7	1,677 10	1,677 10	1,677 10	1,677 10	
93	Patron, Ricardo	June 30, 1908 ..	7	9,079 20	6,493 50	6,493 50	6,493 50	
94	Pitto, Arturo	June 26, 1909 ..	154	609 89	Not examined	..	609 89	
		Aug. 9, 1909 ..	215					
95	Roscelli, Gustavo	Aug. 13, 1908 .	41	9,775 40	9,775 40	9,775 40	11,035 40	
96	Schatz and Bolander	May 3, 1909 ..	84	6,838 2	6,838 2	..	4,144 5	
		Sept. 14, 1909 ..	242					
97	Steven, Robert	Aug. 13, 1908 ..	41	1,641 80	1,641 80	1,641 80	1,641 80	
98	Sananes, Abraham	Aug. 13, 1908 ..	41	2,629 90	2,629 90	2,629 90	2,629 90	
99	Smith, H. G.	Apr. 19, 1909 ..	63	5,848 40	4,660 74	..	5,797 40	
100	Sarll, Captain T. W. L.	Apr. 19, 1909 ..	63	Not stated	..	..	..	Rejected
101	Shtooki, Ben Bushaib	July 10, 1909 ..	174	250 0	Not examined	..	250 0	
102	Stanton, W. T., and Co.	July 22, 1909 ..	190	445 41	Not examined	..	445 41	
103	Toledano and Levy	Aug. 11, 1909 ..	220	91,072 80	64,748 0	..	20,111 66	
		Aug. 16, 1909 ..	226					
		Sept. 13, 1909	241					
		Nov. 16, 1909 ..	289					
		Nov. 24, 1909 ..	297					
		Dec. 22, 1909 ..	318					
		Dec. 31, 1909 ..	326					
104	Toledano and Levy with Barugel Bros. ..	Aug. 12, 1909 ..	221	..	..	..	235 25	Originally included in the claim of "Toledano and Levy."
105	Toledano and Levy with Mushi Dadon ..	Aug. 17, 1909 ..	227	..	..	..	975 0	Originally included in the claim of "Toledano and Levy."
106	Toledano, Haim	Aug. 16, 1909 ..	225	..	..	..	244 80	Originally included in the claim of "Toledano and Levy."
107	Thami, Hadj Dris Bil Hadj	Dec. 5, 1909 ..	306	20,097 0	7,686 0	..	6,287 50	
108	Thami, Hadj Dris Bil Hadj with Abelardo Sastre	Dec. 5, 1909 ..	306	..	..	..	4,250 0	Originally included in the claim of Hadj Dris Bil Hadj Thami.
109	York Confectionery Company, Limited ..	Apr. 19, 1909 ..	63	7,984 62	765 78	..	639 76	
				4,388,623 31	2,038,291 95	159,806 34	1,748,921 34	

PUBLIC RECORD OFFICE, LONDON

TABLE II A.

No.	Name of Claimant.	Name of Land Occupied.	At Francs per Month.	From—	To —	Total of Rent.	Amount awarded for depreciation.	Total sum awarded.	Date of decision by the International Commission.	No. of Meeting.	Remarks
			Fr. c.			Fr. c.	Fr. c.	Fr. c.			
1.	G. H. Fernau and Co., Limited	Shtrub land	83 0	Aug. 16, 1907	Dec. 31, 1907	2,365 50	1,420 0	3,785 50	Dec. 31, 1909	327	French occupation.
2.	G. H. Fernau and Co., Limited	Bāb Marrākesh ..	..	..	..	1,830 0	1,830 0	1,830 0	Dec. 31, 1909	327	For removal of stone wall.
			..	..	..	..	..	..	Dec. 31, 1909	327	Rejected.
3.	G. H. Fernau and Co., Limited	George Fernau's garden	.. 0	..	..	..	..	..	Jan. 2, 1910	328	French occupation.
4.	S. D. O'Hana	Mazagan Road ..	130 0	Sept. 2, 1907	June 16, 1908	1,235 0	250 0	1,485 0			
			190 0	Sept. 1, 1907	Sept. 30, 1909	4,757 25	150 0	4,907 25	Dec. 31, 1909	327	„ „
5.	Ernesto Gautier	Mazagan Road ..	2 75	Oct. 1, 1909	Dec. 31, 1909						
6.	Abdelcader H'Jamy ..	F'dau Sbak — Spanish Camp	12 50	Oct. 10, 1907	Dec. 27, 1909	332 8	..	332 8	Dec. 27, 1909	321	Spanish occupation.
7.	Murdoch, Butler, and Co. ..	Maarif Road ..	1 0	April 27, 1908	Dec. 27, 1909	20 0	30 0	50 0	Dec. 27, 1909	321	French occupation.
8.	Mohamed del Geznani ..	Mers Sultan	1 50	Sept. 1, 1907	Dec. 31, 1909	42 0	..	42 0	Jan. 2, 1910	328	„ „
			40 0	Sept. 1, 1907	Aug. 31, 1908						
9.	Isaac Malka	Mers Sultan ..	20 0	Sept. 1, 1908	Dec. 22, 1909	530 0	..	530 0	Dec. 22, 1909	319	„ „
10.	Isaac Malka	Shop in the Zotia ..	72 50	Aug. 15, 1907	Dec. 27, 1909	2,058 95	..	2,058 95	Dec. 27, 1909	321	„ „
						11,340 78	3,680 0	15,020 78			
	G. H. Fernau and Co., Limited	Hjajua land	..	..	..	..	..	..	..	..	Included in the claim of Braunschvig.
	Si Hamed Ben Abdeslam (Danish)	Bel Malka — Spanish Camp	190 0	Oct. 10, 1907	Dec. 27, 1909	5,047 65	..	5,047 65	Dec. 27, 1909	321	Spanish occupation (Danish protected person).

TABLE III.

No.	Name of Claimant.	Dates on which Claim was passed.	No. of Meeting.	Sum claimed.	Sum awarded by the International Commission.
	Protégés of G. H. Fernau and Co., Limited.	1909.		Fr. c.	Fr. c.
1	Abdeslam Ben Boaza	Dec. 1 ..	303	25,083 13	20,179 9
2	Hadj Hersen Ben Dris Ludi	Nov. 30 ..	301	17,840 85	13,216 0
3	Abbas Ben Hamed	Nov. 25 ..	298	8,391 50	7,325 0
4	Sherif Si Taïbi H'jami	Nov. 30 ..	301	30,512 21	23,832 50
5	El Hadj Mohamed Ben Hamed el Marofi ..	Nov. 29 ..	300	8,345 99	6,825 0
6	'Embark Ben Saghir E'ziani	Nov. 29 ..	300	4,803 50	3,650 0
7	El Hadj Mohamed Ben el Hadj Ali Ben Kaïda	Nov. 30 ..	301	12,967 50	9,135 0
8	Hadj Mekki Ben Thami	Nov. 29 ..	300	3,901 62	2,950 0
9	Si Mohamed Ben Hamed el Manugi.. ..	Dec. 6 ..	307	16,948 74	3,461 25
10	Abdellah Ben Thami Zïani	Dec. 6 ..	307	6,989 85	5,787 75
11	Boabid Benelal	Nov. 20 ..	291	2,034 50	993 75
12	Hamido Mohamed Ben Thami	Nov. 20 ..	291	1,565 85	1,050 0
13	Si Mohamed Ben Larbi el Herawi	Nov. 25 ..	298	2,067 0	1,342 50
14	Abdeslam bil Hedia	Nov. 30 ..	301	2,120 62	1,550 0
15	Mohamed Bel Taïb Galeff	Nov. 29 ..	300	6,469 12	5,360 0
16	Mohamed Ben Mohamed E'zïani	Nov. 16 ..	289	1,072 50	625 0
17	Mallem Abdellah Ben Bushaib	Nov. 16 ..	289	1,427 50	800 0
18	Mohamed Ben Abdeslam el Marefi	Dec. 6 ..	307	4,342 0	3,418 75
19	Mohamed Ben Hadj Hamed Mesodi	Nov. 29 ..	300	5,061 87	4,310 0
20	Sbej Ben Bushaïb Marofi	Nov. 30 ..	301	4,801 87	2,921 37
21	Brahim Ben Ali el Herawi el Bidawi ..	Nov. 29 ..	300	3,663 13	3,543 48
22	Ali Ben el 'Araki E'zïani	Nov. 29 ..	300	4,840 87	4,553 75
23	Mohamed ben Lefkih E'Znati	Nov. 16 ..	289	510 25	390 0
24	Hadj Abdeslam Marofi	Nov. 16 ..	289	474 50	400 0
25	Mohamed Ben Selam	Nov. 16 ..	289	565 50	350 0
26	Bushaïb Ben Yusuf	Nov. 16 ..	289	555 75	400 0
27	Bushaïb Bel Larbi Beidawi	Nov. 16 ..	289	562 25	450 0
28	Mohamed Ben el Hadj Buchaïb Ducali ..	Nov. 29 ..	299	3,074 50	2,932 0
29	Laïdi el Herizi	Nov. 16 ..	289	429 0	390 0
30	Hadj Bushaïb uld Had	Nov. 16 ..	289	409 50	350 0
31	El Hadj Bushaïb Rahooi	Nov. 16 ..	289	178 75	170 0
32	Maalem Mohamet Derawi	Nov. 16 ..	289	242 12	180 0
33	Mesod uld 'M'bark	Nov. 16 ..	289	149 50	140 0
34	Mesod Barcora uld Mulgher	Nov. 16 ..	289	390 0	299 75
35	Abdellah Ben Haddu	Nov. 16 ..	289	211 25	175 0
36	Mohamed Ben Hameda Ben Faïda	Nov. 16 ..	289	611 0	500 0
37	Saleh and Rebhah	Dec. 6 ..	307	2,358 0	1,910 0
38	Bubkir uld si Buzian	Nov. 29 ..	299	4,108 0	3,000 0
39	El Hersen el Buziani	Nov. 30 ..	301	4,923 50	4,923 50
40	El Hersen Ben Thami el Hedawi	Nov. 16 ..	289	2,809 62	1,680 25
41	Hemed Bil Larby Herizy el Bidawi	Dec. 1 ..	303	2,923 37	1,730 0
42	Boaza Ben Bushaïb Bel Kadi	Dec. 1 ..	303	583 50	583 50
43	Si Bushaïb ben Sherky el Habdaimy ..	Dec. 20 ..	316	2,957 50	1,940 0
44	Mohamed Ben Teiby el Herisy	Dec. 20 ..	317	2,765 74	1,922 50
45	El Larbi Ben Bushaïb M'zamzy	Dec. 20 ..	316	2,007 20	1,210 0
	Protégés of Murdoch, Butler, and Co.				
46	Mohamed Ben Mohamed Ben Hanman ..	Oct. 4 ..	253	2,840 90	2,000 0
47	Hadj Mohamed Ben Bushaïb el Herisi ..	Oct. 4 ..	253	3,633 12	1,900 0
48	Hadj Mohamed el Herizy	Oct. 4 ..	253	571 43	500 0
49	Hadj Anaya Bil Anaya Bidawi	Oct. 4 ..	253	3,912 34	1,400 0
50	Maalem Karsem	Oct. 4 ..	253	571 43	520 0
51	Hadj el Mzabey Bidawi	Oct. 4 ..	253	211 0	200 0
52	Mohamed Ben el Hadj Ghezuani	Oct. 4 ..	253	496 75	400 0
53	Alia Benabu	Oct. 4 ..	253	532 46	450 0
54	Abderrahaman Ben Hamed Mesfewi.. ..	Oct. 4 ..	253	685 6	550 0
55	Mohamed Ben Aisa Bedawi	Nov. 16 ..	289	2,994 87	1,350 0
56	Hamed Ben Hemed Bedawi	Oct. 4 ..	253	837 66	750 0
57	Hadj Bushaïb Ben Abdeslam	Nov. 20 ..	291	1,457 62	1,134 75
58	Abdellah el Aïdi el Bidawi..	Nov. 20 ..	291	1,440 56	800 0
59	Si Taïbi Buamri	Nov. 20 ..	291	515 12	430 0
60	Abdellah Ben Gillali Beidawi	July 22 ..	190	264 60	230 0
61	Nasri Ben Gillali el Beidawi	July 22 ..	190	128 64	110 0
62	Madanni Bel Arbi Zirawi	Nov. 29 ..	299	682 0	594 25
63	Gilali uld Mohamed	Nov. 29 ..	299	91 0	32 50

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TABLE III—*continued.*

No	Name of Claimant.	Dates on which Claim was passed.	No. of Meeting.	Sum claimed.		Sum awarded by the International Commission.	
				Fr.	c.	Fr.	c.
	Protegés of Messrs. Lamb Bros.	1909.					
64	El Hadj Mohamed Ben Musa el M'jati el Beidawi	Dec. 11 ..	312	12,610	0	2,989	0
65	'M'bark bil Kadir Bidawi	Dec. 11 ..	312	4,451	50	2,039	50
66	Buchaïb Ben Mohamed Ben Marofi	Dec. 20 ..	317	3,040	37	2,897	50
67	Si Mir Ben Mohamed Burisgi el Ghdanni ..	Dec. 20 ..	317	2,016	61	1,550	0
	Protégé of Mr. Nicholas Ghio.						
68	Si Mohamed Bil Hadj Mohamed Ducali ..	Dec. 20 ..	316	344	50	300	0
	Protégé of Abelardo Sastre.						
69	El Hadj el Ghezuani Ben Taher Ducali ..	Dec. 11 ..	312	15,749	74	7,968	25
	Moorish Subjects long resident in England.						
70	Ben Lamine Fréres	Nov. 25 ..	298	23,167	58	22,764	58
71	Toledano Bros.	July 22 ..	190	701	8	701	8
				292,999	96	207,417	90

TABLE IV.

No.	Name of Claimant.	Dates on which Claim was passed.	No. of Meeting.	Sum claimed.		Sum awarded by the International Commission.	
		1909.		Fr.	c.	Fr.	c.
1	Sassoon, Moïse	July 28 ..	198, 199	55,780	62	44,599	87
2	Altaras, S. (estate of)	Aug. 12 ..	221	10,000	0	7,000	0
3	Si Mohamed ben Seef Eddin Iraqué.. ..	Oct. 4 ..	253	2,320	50	1,000	0
				68,101	12	52,599	87

TABLE V.

No.	Name of Claimant.	Dates on which Claim was passed.	No. of Meeting.	Sum claimed.		Sum awarded by the International Commission.	
		1909.		Fr.	c.	Fr.	c.
1	Si Hamed Ben Abdeslam	April 22 ..	69	5,965	88	5,965	88
2	Hadj Mohamed Medcori	April 22 ..	70	5,159	16	5,159	16
3	Mohamed Ben Zeen Abdin Bodleha	April 22 ..	69, 70	6,429	46	6,429	46
4	Hadj Dris El Mknasi	April 22 ..	70	25,814	92	25,814	92
5	Belisha, Isaac	April 22 ..	69	7,583	87	7,583	87
				50,953	29	50,953	29

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[5951] No. 37*.

Sir M. de Bunsen to Sir Edward Grey.—(Received February 19.)

(No. 3.)
(Telegraphic.) P. *Madrid, February 19, 1910.*

THE French Ambassador has notified the Spanish Government of the French Government's intention to put pressure on the Sultan to secure his acceptance of their demands with regard to the loan. His Excellency said his Government hoped Spain would support them, and, if the Sultan refused to give way, that the Spanish consul and nationals would be withdrawn from Fez. I told the Minister for Foreign Affairs, who consulted me, that it was not surprising that the French should at last have lost patience, that France was not alone in wishing the loan to be a success, and that other countries should assist her in endeavouring to make it so. His Excellency agreed, but stated that, owing to the negotiations pending between Spain and Morocco, the withdrawal of the Spanish consul and nationals from Fez, should this course prove inevitable, would be represented less as a political demonstration against the Sultan than as a measure of prudence in case the natives were to give vent to their resentment of Europeans.

[5948] No. 38*.

Sir Edward Grey to Mr. Lister.

(No. 4.)
(Telegraphic.) P. *Foreign Office, February 21, 1910.*

YOUR telegram No. 10.*

I authorise you to instruct His Majesty's consul at Fez to support his French colleague, and to leave Fez, together with other British subjects, if the Sultan refuses to give way, and a similar step is taken by other Powers.

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* See No. 40.

(A.) (Document referred to in paragraph 73.)

WE, the undersigned, managers and directors of the Steam-ships "Demetian" and "Ordovician" Company (Limited), and on behalf of the said company, acknowledge the receipt of the sum of 17,982 fr. 25 c. from the Foreign Office on behalf of the Government of the French Republic for services rendered by the steam-ship "Demetian," the property of the said company, in the months of July, August, and September 1907, in the port of Casa Blanca, Morocco. On behalf of the said company we accept the said sum of 17,982 fr. 25 c. in full payment of any claim which the said company may have against the French Republic for services rendered by the said steam-ship "Demetian," or for any loss occasioned by her detention in the port of Casa Blanca, or for any other cause whatsoever in connection with the disturbances in Casa Blanca during the months of July, August, and September 1907.

OWEN WILLIAMS,
WATKIN WILLIAMS,
Managers and Directors of the Steam-ships "Demetian" and "Ordovician" Company (Limited).

(B.) (Document referred to in paragraph 74.)

WE, the undersigned, directors and managers of the Steam-ships "Demetian" and "Ordovician" Company (Limited), hereby declare that we are presenting a claim to the Casa Blanca Claims Commission, for services rendered by the steam-ship "Demetian," the property of the above-mentioned company, from the 31st July to the 10th August, 1907, inclusive, in harbouring refugees of British and French nationality.

With regard to any sums which may be awarded to us under these headings, we (having already received the sum of 715*l.* (seven hundred and fifteen pounds) from the Government of the French Republic and the sum of 28*l.* (twenty-eight pounds) from His Majesty's Government) agree that any such sums or smaller sums awarded in respect of French and English refugees respectively shall be handed to His Majesty's Secretary of State for Foreign Affairs, in order that he may recoup the French Government and the British Government the sums already paid by them to us.

OWEN WILLIAMS,
WATKIN WILLIAMS,
Directors and Managers.

Cardiff, May 3, 1909.

[5999] No. 38.

Sir Edward Grey to Mr. Lister.

(No. 3. Confidential.)
(Telegraphic.) R. *Foreign Office, February 19, 1910.*

FRENCH Ambassador informs me confidentially that French Government propose to instruct French Minister at Tangier to write to Sultan, giving him forty-eight hours to approve agreement made with Moorish mission at Paris. Failing compliance, all French officials and citizens will be ordered to leave Fez, when French Government would proceed successively to seizure of custom-houses at Casablanca and Rabat to occupation of Azemur, and lastly to seizure of markets on Algerian frontier.

You should consider question whether it would be advisable to make any arrangements for facilitating simultaneous departure from Fez of consul and any British subjects wishing to leave. But such a step should obviously be avoided unless there are imperative reasons for taking it.

[6856] No. 39.

Sir M. de Bunsen to Sir Edward Grey.—(*Received February* 26.)

(No. 16. Confidential.)

Madrid, February 19, 1910.

Sir,

IN the course of a recent visit to His Majesty's Embassy, Señor Canalejas, the new Spanish Prime Minister, touched on the affairs of Morocco. His Excellency said trouble had arisen between the Moorish Governor of Larache and the native police force, under Spanish officers, which is established at that port. Though he hoped matters would soon be smoothed over, it had been thought well to send the cruiser "Numancia" and a gun-boat to Tangier, whence they could proceed at short notice to Larache in case of necessity. As regards the general situation in Morocco he said that, though the Spanish and French Governments were fairly in agreement, there was a strong disposition on the part of the general public in Spain to resent what it regarded as French encroachments in the region falling properly under Spanish influence. Señor Canalejas did not go into details, but his language showed that he shared the apprehension often expressed in Spanish political circles that the stronger and wealthier of the two foreign nations enjoying a special position in Morocco is not likely to be satisfied with a strict limitation of its influence to the region assigned to it under the Franco-Spanish secret arrangement of October 1904.

Señor Canalejas showed nervousness as to French aims with regard to Taza, a point which, though within the French sphere of influence, would dominate, if it passed into French hands, the entire Riff region.

I asked him what reason he had to suppose that the French contemplated an advance to Taza. He said there were indications pointing in that direction. He mentioned a French scientific expedition which he had heard of. But his language was vague, and he said he merely wished me to understand that, in his opinion, questions were not unlikely to arise which might put some strain on the Franco-Spanish understanding concerning Morocco, and with regard to which an appeal to the good offices of England might possibly have to be made.

M. Révoil, the French Ambassador, tells me he is not dissatisfied with the assurances he has so far received from the new Spanish Government on these questions. His Excellency has represented to Señor Canalejas and Señor Garcia Prieto the desire of France to interpret her engagements with Spain in a fair and liberal spirit, and to abstain from any action showing disregard for the legitimate aspirations of Spain.

I have, &c.

MAURICE DE BUNSEN.

[6742] No. 40.

Mr. Lister to Sir Edward Grey.—(*Received February* 26.)

(No. 26. Confidential.)

Tangier, February 20, 1910.

Sir,

HIS Majesty's Ambassador at Madrid was good enough to repeat to me his telegram No. 3 of yesterday's date. It reached me last night, and this morning early I wrote to the French Minister asking if I could see him. My letter crossed one from him saying that he wished to see me, and would call at the legation at 9·45 on his way to see the Commissioner for Foreign Affairs. In the meantime I received your telegram No. 4.

M. Regnault told me that he had dispatched a mounted messenger to Fez yesterday with instructions to M. Gaillard to insist upon the ratification by the Sultan of the various arrangements made and signed by the Moorish Mission in Paris upon the immediate fulfilment of the provisions which they contained, and upon the settlement of various other questions, the most important of which were the conclusion of the arrangements for the liquidation of the debts of the Makhzen. M. Regnault told me, for my private information, that M. Gaillard was also instructed to insist upon a full recognition of the position of the French military mission, and the dismissal of the Turkish officers. He asked me, however, to keep this to myself, as the Spanish Government had not been told of it. A period of forty-eight hours was to

be given to the Makhzen to agree to these demands; if at the expiration of that time no answer had been received, or one of an unsatisfactory nature were returned, the French consul was to inform the Moorish Government that he, the French military mission, and all the members of the French colony would leave Fez. No details would be given as to the further steps which the French Government proposed to take, but it would be made perfectly clear to the Makhzen that this was only the beginning.

M. Gaillard had been told to inform his colleagues of the instructions which he had received, and the French Government hoped most earnestly that the consuls of Great Britain, Spain, and Germany would act with him, and that, if M. Gaillard were driven by further obstruction on the part of the Sultan to leave the capital, his colleagues, with their colonies, would leave with him.

I said that I had just received a telegram on the subject from you reporting to me the steps which the French Government proposed to take successively, and informing me of the proposed exodus from Fez in the event of a refusal from Mulai Hafid. I said that you were of opinion that the step should only be taken if there were imperative reasons for doing so.

M. Regnault replied that he considered it imperative that the Sultan should be made to realise that complete solidarity existed amongst the Powers; moreover, he thought a general exodus advisable on grounds of prudence, should the Sultan remain obdurate. Were any Europeans to remain in Fez, he considered it not improbable that the Sultan might excite popular fanaticism and cause a disaster. In any case, he begged me most earnestly to issue instructions to His Majesty's consul to act in conformity with the French consul. The French Government, he said, looked to His Majesty's Government for support in this matter. He believed personally that the Sultan would yield in any case when he saw that France was in deadly earnest; but His Majesty was far more certain to do so if he found himself confronted by an absolutely united attitude on the part of the foreign consuls.

I asked him what the Spaniards were doing, and told him that I understood that they desired to act in agreement with France, but that they seemed to prefer that, if an exodus proved necessary, it should be based on grounds of prudence. M. Regnault said he would not object to this, though he considered solidarity should be the real reason. He said he was now going to see Cid Guebbas, and that after that he should call on the Spanish and German Ministers.

I saw M. Merry del Val very soon after M. Regnault had left him. He told me that his instructions were to act in unison with France; the Spanish Government did not, nor indeed did he, anticipate any danger, but they were anxious to show their friendship for the French Government and to fall in with their wishes; he was, however, to reserve final action until he received a further telegram. He had so informed M. Regnault, and had reported their conversation to Madrid. He consequently expected to receive very shortly definite instructions to act in the sense desired by M. Regnault. He was anxious to learn what the views of the German Minister were on the subject.

On my return to the legation, I found that during my absence M. Maroum, the German interpreter, had been sent by the German Minister, who was ill in bed, with a message which he delivered to Mr. White, to the effect that the German Legation was sending a special messenger to Fez this afternoon with instructions to Dr. Vassel to act in conformity with the French consul, and leave Fez should the latter do so. He said that Dr. Rosen would be delighted for the messenger to take any communication which I might wish to send to Fez, and asked Mr. White whether I was sending similar instructions to Mr. MacLeod. Mr. White replied that he believed so, but that I was out, and he did not know what was actually decided. He promised to let the German Legation know should I not be sending such instructions. I then saw M. Regnault, who had just returned from the German Legation. He told me that he had discussed the whole question with Dr. Rosen, who had regretted that he had not known of the matter rather sooner, as he would then have instructed Dr. Vassel to join M. Gaillard in his representations. The question, he said, was a serious one for Germany, as there were several important German merchants at Fez, the success of whose business depended upon their personal presence. He had, however, concluded by saying that Dr. Vassel would be instructed "de se solidariser avec ses collègues et de quitter Fez si le consul français se voyait obligé de partir." M. Regnault also read me a telegram which he had received from Paris reporting a conversation between

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M. Jules Cambon and M. de Schoen, in which the latter assured the Ambassador that Germany would once more show that she was faithful to the spirit of the Franco-German *entente* in Morocco, and that Dr. Vassel's instructions would be satisfactory: the question was being referred to the Chancellor. This seemed to confirm the message given by Maroum, and it appeared to me impossible that I, the representative of the Power bound by solemn engagement to support France in Morocco, should withhold the support so earnestly asked for by the French Minister when it was being granted by Germany and Spain. I accordingly sent you my telegram No. 10. Time pressed, as M. Regnault had begged me to send my instructions to Fez by the German messenger. I was obliged to take a decision, and I wrote two despatches to Mr. MacLeod, copies of which I enclose herewith.

With regard to the second, it had occurred to me that, should the exodus really take place, Dr. Verdon and Sergeant Balding would be placed in a very difficult position. They could not well remain on in Fez; at the same time if they left it appeared more than probable that they would lose their post when things returned to their normal position, and they would not have the backing behind them that the French instructors possessed. I accordingly mentioned the matter to M. Regnault. He fully realised my point and gave me an assurance that their cases should be treated on the same basis as those of the French instructors. He has written to Paris in this sense.

I asked M. Regnault whether he did not think that the ultimatum would have more effect if, at the time of its presentation, the Sultan were told what the results of its refusal would be, but he said no, and told me that his views had been borne out by the signs of terror of the unknown evinced by Guebbas when he saw him in the morning. The latter had begged to be told what was intended, but M. Regnault replied that it was better for him to remain in ignorance as long as he could, and left the commissioner only more frightened. Of one thing he told his Excellency he could be certain, and that was, if the Sultan still remained obdurate, the French intended to stop the entry of all arms and munitions of war destined for the Makhzen, no matter whence they came or where they arrived. This, M. Regnault said, he had told none but myself.

The despatches and a letter from M. Regnault to M. Gaillard reporting his conversation with myself and the German and Spanish Ministers were sent off by the German Rakkas, but I have been somewhat upset by a note from the German Minister, in which he says that his instructions to Dr. Vassel were to leave Fez with the German colony if he thought there would be any danger in remaining or in case all the consuls with their respective colonies were leaving the capital.

This was not the message that he sent through Maroum, nor was it the impression he had conveyed to the French Minister. I thought it best to try to clear this up with Dr. Rosen, with whom I am on very friendly personal terms, and I bearded him this evening in his sick chamber. He told me frankly that he had not liked to tell the French Minister that the German consul would only leave if all his colleagues left, not if only his French colleague left. He thought it would be disagreeable hearing for him. He had merely kept silent and said nothing. I said that he certainly had conveyed the impression to M. Regnault that Dr. Vassel was to be instructed to act with his colleagues, and leave Fez if the French consul were obliged to go. He answered that he must leave him under that impression; moreover, the result would be the same, as if all our consuls left the German consul would be obliged by his instructions to leave also. He regretted that Maroum should not have given his message correctly to White. He realised that he should have gone himself to see me and the Spanish Minister, but he had been too unwell to leave the house! His attitude appeared most cynical, and Mr. White and I are inclined to think that Maroum's message was intentionally misleading.

Dr. Rosen told me in confidence that, with the instructions to Dr. Vassel, he had sent a private letter to the Sultan, in which he had urged him most strongly to agree to the French demands. He had begun by stating that, in thus writing, he was breaking one of his rules of conduct, which was never to offer advice to the Sultan, but the gravity of the situation had led him to do so. The Sultan could gain nothing by waiting; on the other hand he might lose everything. His motives in writing were absolutely disinterested; he only wished to warn His Majesty out of friendship of the serious danger he was running were he to continue his resistance. If the contents of the letter were such as Dr. Rosen recounted to me, it may carry weight. I am inclined to share the view which M. Regnault holds most strongly, that the Sultan will certainly yield, and that no exodus will prove necessary; I only hope it

will turn out so, but, in any case, I do not see how it would have been possible for me to decline to instruct Mr. MacLeod in the sense desired by M. Regnault.

I have, &c.
REGINALD LISTER.

P.S. *February* 21.—I have just received from His Majesty's Ambassador at Madrid the figures of his telegram to you No. 4 of yesterday, in which he states that instructions are on their way to Fez for the Spanish consul to withdraw with his nationals in the event of this step being taken by the French. This will oblige the Germans to act in conformity should the occasion arise.

R. L.

Enclosure 1 in No. 40.

Mr. Lister to Consul MacLeod.

(No. 6.)
Sir, *Tangier, February* 20, 1910.

BEFORE this reaches you you will doubtless have heard from your French colleague of the instructions which he has received to insist upon the ratification of the arrangements sent from Paris, the fulfilment of the conditions which they contain, and the settlement of various other questions, notably the liquidation of the debts of the Makhzen. If at the end of forty-eight hours the Makhzen have not agreed to these demands, M. Gaillard is to inform them that he, the French military mission, and the whole of the French colony will leave Fez.

I write to instruct you to keep in close touch with your French colleague, and should he be driven by the refusal of the Moorish Government to yield to take the step indicated above, you should inform the Makhzen that you also have received the instructions of His Majesty's Government to leave the capital, and to take with you all British subjects who desire to accompany you.

The German and Spanish consuls are receiving similar instructions from their Ministers. It is imperative to convince the Sultan of the solidarity of the Powers, and I personally am of opinion that the Sultan will yield when he sees that the French are in earnest and are supported by the other Powers. This view is shared by the French Minister.

I am, &c.
REGINALD LISTER.

Enclosure 2 in No. 40.

Mr. Lister to Consul MacLeod.

(No. 7.)
Sir, *Tangier, February* 20, 1910.

WITH reference to my immediately preceding despatch, I have to inform you that the French Minister has given me an assurance to the effect that, should an exodus take place, the case of Dr. Verdon and Sergeant Balding will be assimilated to those of the French instructors, and that they will not be allowed to suffer in consequence.

I am, &c.
REGINALD LISTER.

[7266] No. 41.

Sir F. Bertie to Sir Edward Grey.—(*Received March* 2.)

(No. 86.)
Sir, *Paris, March* 1, 1910.

WITH reference to my despatch No. 83 of the 28th ultimo, I have the honour to transmit to you herewith,* extracted from this evening's "Temps," an official communiqué from the French Ministry for Foreign Affairs, stating that all the conditions

* Not printed.

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contained in the French ultimatum to the Sultan of Morocco have been accepted by the latter.

I have, &c.
FRANCIS BERTIE.

[7559] No. 42.

Sir Edward Grey to Sir M. de Bunsen.

(No. 24.)
Foreign Office, March 2, 1910.

Sir,

THE Spanish Ambassador, in handing the accompanying papers to me to-day,* said that he was not instructed to give them to me, but he thought I had better have them.

He then explained to me that his Government were anxious that at Laraiche, the customs-house of which was in their sphere, the French should employ Spaniards, if not entirely at least to a considerable extent, in the collection of the dues connected with their loan. He hoped that I should be able to say a word to the French Government in favour of this.

He also wished our delegate on the mining commission in Paris to support, if he could, the Spanish request as to mines in the Riff. The French claimed that it was contrary to the Algeciras Act to allot mines in this way between France and Spain, and as a matter of fact France had no mines on her own frontier. But France and Spain had acted together outside the Algeciras Act with reference to the stopping of the contraband trade in arms, and the Ambassador seemed to think that the same course might be pursued in this case. The papers he had given me would explain what had passed with the French Government.

I told him that the matters were new to me, and that I would look into them.

I am, &c.
E. GREY.

[7671] No. 43.

Consul MacLeod to Sir Edward Grey.—(Received March 5.)

(No. 3.)
Fez, February 22, 1910.

Sir,

EXCEPTING in two particulars, there has been nothing of interest occurring the last few weeks as regards the general situation hereabouts.

Early this month a mysterious veiled man began to travel amongst the Taza tribes announcing that he was Mulai Mohammed, son of the Sultan Mulai Hassan, that is to say "Bu Hamara," that he had escaped from Fez, but as he had had his beard shaved there, he could not decently uncover his face.

He met with no help in Chiata. In Branes opinion about him was divided, some asserting him to be a French spy, and others believing his story.

A fight occurred there in which his life was threatened, and he fled to Dsul. There his story was believed, and the Dsul tribe have put themselves under him towards resisting any advance thither of the Sultan's Mehalla now in Hiayna. The general belief outside Dsul is that he is really one Mansur Jolti, a Moor of the frontier, who used to act as a sort of cicerone to Moors trading to the Algerian markets. He is said to have now a band of 160 soldiers regularly with him, to whom he pays ¼ dollar each per day—which is good pay in these parts.

Mulai Kebir is still in Chiata but inactive, and Abdelmalek Mahideen is still in Branes. It is difficult to suppose that Mahideen can have been idle all this time, but, at any rate, nothing has transpired yet of his doings. Meantime all accounts concur in this, that normal trade relations are now in course between Taza and Melilla districts, the tribes bordering on the area of occupation not molesting the Spaniards in any way. As far as can be judged here the people of the occupied area seem to have quite made up their minds to live on good terms with the Spanish authorities.

The other matter of interest has been the increasing tension between the Sultan and the French military mission, which lately showed itself markedly when the Sultan imprisoned a paymaster attached to the mission for some act for which he had the

* Not printed.

authority of Commandant Mangin, the head of the mission, the Sultan telling him that he had no right to take any orders from Commandant Mangin. Remonstrance being unavailing, the latter had to threaten to suspend all the mission's work unless the paymaster were released and reinstated, and, in the event, the Sultan made excuses and did as desired.

The incident affords a typical illustration of the Sultan's general attitude, which His Majesty summed up thus the other day when speaking to Dr. Vassel, the German consul here, when the latter had an audience on return from leave of absence—

"The ports I look upon as lost to me, so I shall do nothing to interfere with changes there. The interior of the country is, however, still my own, and I shall do all I can to preserve my independence in it."

I have, &c.
J. M. MACLEOD.

[7599] No. 44.

Mr. Lister to Sir Edward Grey.—(Received March 5.)

(No. 29.)
Tangier, February 25, 1910.

Sir,

I HAVE the honour to acknowledge receipt of your despatch No. 17 of the 16th instant relative to the proposals of the French Minister in regard to the settlement of foreign claims against the Moorish Government and private persons in Morocco.

With regard to the point raised in the second paragraph of your above-mentioned despatch, I wish to make it quite clear that the proposed reduction by one-third was only intended to be made in estimating the sum to be set aside from the loan for the payment of claims; the claims themselves will all be carefully examined and treated on their merits, in some rare cases no reduction will be made on the original sum claimed, in others the sum claimed may be reduced more or less, whilst in others, again, the whole claim may be disallowed. As I said in my despatch No. 17 of the 29th ultimo, M. Regnault said that his experience at Rabat, where many French claims were settled, was that, roughly speaking, one-third of the claims could be knocked off, taking the cases one with another all through. It appears to me, however, that claims such as Pariente's and the claim put in by Kaïd Maclean on behalf of Mulai Abdel Aziz, the items of which have already been admitted by the Makhzen and are duly entered in their registers, should be placed in a separate category. Provision has been made for such cases in articles 15 and 16 of the proposal of the French Minister, as modified after discussion with myself and various colleagues, and finally submitted to the French Government, copy of which will by this time have reached you in my despatch No. 25, Confidential, of the 11th instant. It has now been decided, however, that the board of arbitration to which such cases shall be referred, and from which there is no appeal, shall be composed: (1) of a Shereefian delegate named by the Sultan's representative at Tangier; (2) of a delegate of the legation concerned; and (3) of a delegate of the Banque d'État; the second delegate being named by the legation concerned instead of by the corps diplomatique. I enclose a list of all the British claims which have been presented to the commission, which has been drawn up for me by Mr. Irwin, with short notes as to the nature and validity of each.

I had a long conversation to-day on the whole subject with the French Minister. He is of opinion that it would be best not to take any decision with regard to the arbitrators mentioned in article 10 until the sub-commissions have finished their labours, and it is known how many cases remain to be submitted to arbitration. He is personally of opinion that they will not be very numerous, as the claimants will all be only too glad to accept a settlement within reason, and the Makhzen will be deterred from making too many difficulties by the fact that if the case is given against them they will have to pay the fees of the arbitrators (see paragraph 18 of the French Minister's proposal). If the number proved very small, M. Regnault thought that one or two arbitrators might undertake the whole lot of cases. He maintains his view that it would be better to select a consul from some other Oriental country, who has experience of such cases, and who would deal with them practically and quickly.

When he spoke of a "magistrate" as the class of man to be appointed as the final arbitrator, he had in his mind a judicial official such as M. Fabry, who is now "conseiller" at the Court of Appeal at Paris, and was previously president of the Civil

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Tribunal of Tunis. The question of the fees of the arbitrators is discussed in paragraphs 17, 18, 19, and 20 of the modified proposal.

It appeared to me that the selection of the third arbitrator was left a little vague; it is most important that he should be a person of unimpeachable integrity and authority, and above all not an inhabitant of Morocco, as there is no appeal from his decision. I mentioned this to M. Regnault; he agreed, and suggested that I should make an annotation on the circular when it reached me to the effect that the third arbitrator, whether named by the other two arbitrators or by the corps diplomatique, should be a stranger, and, if possible, occupy a high legal position.

I have refrained from giving an opinion on the scheme until I had received it in its final form, as discussions on the subject have been going on almost daily, and slight modifications were continually being introduced. I consider it now to be a very practical working scheme, which will simplify and accelerate the settlement of the claims. The French Government were evidently determined not to accept the idea of an international tribunal, and I must say I think it would have been more cumbersome and costly than the present scheme. I would venture to suggest that M. Regnault's proposals be accepted in principle, subject to any slight modifications in details which may be introduced in course of circulation by the foreign representatives.

The creation of some such commission or commissions for settling the question of the debts constitutes one of the principal demands made by the French Minister in his ultimatum to the Sultan (see my despatch No. 26 of the 20th instant), and the French evidently intend to see it through.

A copy of the proposal, as now being circulated to the representatives of the Powers, is enclosed herewith, the final modifications being underlined in red ink.*

The German Minister has assisted in the framing of the scheme, and the Spanish Minister has informed M. Regnault that his Government approve of it.

I should be much obliged if you would send me instructions in the matter by telegraph.

I have, &c.
REGINALD LISTER.

Enclosure 1 in No 44.

M. Regnault to Comte de Martens-Ferrão.

M. le Doyen et cher Collègue, *Tanger, le 22 février*, 1910.

AU moment où se poursuit à Paris la négociation d'un emprunt de liquidation pour le compte du Gouvernement chérifien, je suis assuré de répondre à la préoccupation générale en vous priant de saisir le corps diplomatique de la question du règlement des réclamations formulées contre le Makhzen par les ressortissants étrangers.

Nous avons été tous à même de constater l'échec de la Commission de Vérification des Dettes gouvernementales instituée l'an dernier par le Sultan, et qui, en raison des restrictions successives apportées à son mandat, a été finalement réduite au rôle d'un simple bureau d'inscription des revendications étrangères. Aussi la nécessité s'impose-t-elle de rechercher le moyen de porter remède à une situation aussi préjudiciable aux intérêts de nos ressortissants.

C'est dans cet esprit que j'ai rédigé le projet ci-joint, sur la base d'un remaniement de la commission précitée, qui, sous la dénomination de "Commission de Règlement des Réclamations étrangères," avec un personnel plus nombreux et une procédure uniforme, recevrait du Sultan pleins pouvoirs pour liquider toutes les revendications formulées par les ressortissants des diverses légations pour des engagements ou des faits antérieurs au 30 juin, 1909.

Je vous serais reconnaissant de vouloir bien soumettre ce projet si vous le jugez à propos, à la haute appréciation du corps diplomatique.

Au cas où l'accord serait réalisé, il paraîtra sans doute à nos honorables collègues qu'il y a lieu de notifier au Makhzen la procédure adoptée et de l'inviter à la mettre à exécution sans retard afin d'éviter aux intéressés tout ajournement dans l'établissement de leurs droits et dans l'acquittement de leurs créances.

Veuillez, &c.
E. REGNAULT.

P.S.—Ci-joint dix exemplaires de la note communiquée.

E. R.

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* Printed in italics.

Enclosure 2 in No. 44.

Note respecting Settlement of Claims.

LA Commission chérifienne de Vérification des Dettes du Makhzen, actuellement constituée à Tanger sous la présidence du représentant du Sultan, recevrait de Sa Majesté pleins pouvoirs pour régler définitivement toutes les réclamations formulées par des ressortissants étrangers pour des engagements ou des faits antérieurs au 30 juin, 1909. A cet effet, le nombre de ses membres serait porté de deux à dix.

2. Cette commission se diviserait en quatre sous-commissions de deux membres; les deux délégués restant seraient appelés à suppléer les membres des sous-commissions empêchés de siéger au cours des travaux.

3. Chaque sous-commission assumerait l'examen et le règlement des réclamations d'un groupe de nationalités d'après une répartition qui serait arrêtée par le corps diplomatique.

4. La Commission de Vérification des Dettes makhzéniennes transmettrait aux sous-commissions respectives les dossiers de toutes les affaires dont elle aurait été saisie jusqu'à ce jour.

5. Chaque sous-commission examinerait les réclamations de son ressort dans l'ordre qui lui serait indiqué par le délégué de la légation intéressée, lequel pourrait assister à toutes les séances et dont la fonction serait de veiller à ce que l'instruction de l'affaire soit régulièrement conduite. Les réclamants seraient tenus de se présenter à l'audience en personne ou par mandataire spécial. *Ce dernier pourrait, à la demande du réclamant, être désigné d'office par la légation intéressée.* Ils exposeraient leur revendication et fourniraient les explications qui leur seraient demandées; ils auraient la faculté de se faire assister d'un avocat et d'un interprète privé.

6. Il serait procédé par défaut à l'examen et au règlement des réclamations dont les titulaires ne se seraient pas présentés. La sentence ainsi rendue serait signifiée au réclamant par sa légation, dans la forme administrative, soit par lettre recommandée s'il réside à l'étranger, soit par l'intermédiaire de l'autorité consulaire intéressée s'il réside au Maroc. Celui-ci pourrait en appeler devant la Commission arbitrale dans un délai de quarante jours, en consignant le montant des frais d'arbitrage, comme il est dit aux paragraphes 18 et 20. Ce délai courrait du jour où le réclamant aurait reçu la signification en question.

7. Les réclamations seraient instruites suivant les usages locaux et sans qu'il y ait lieu d'appliquer de règles de procédure des législations étrangères.

8. La cause une fois entendue, la sous-commission délibérerait sur l'affaire en présence du délégué de la légation, et rendrait une décision écrite portant règlement.

9. Toutefois, cette décision ne deviendrait acquise et définitive qu'après avoir été communiquée par le délégué de la légation au réclamant et après avoir été expressément acceptée par ce dernier ou son mandataire. Dans ce cas la légation délivrerait à l'intéressé une pièce constatant le règlement intervenu.

10. Le réclamant qui n'accepterait pas une décision de ce genre aurait la faculté d'en appeler dans un délai de quinze jours, devant une commission arbitrale de deux membres, nommés, l'un par le représentant du Sultan à Tanger, l'autre par la légation intéressée. En cas de désaccord sur la sentence à rendre par les deux arbitres, ces derniers désigneraient à l'amiable un troisième arbitre, avec le concours duquel ils trancheraient l'affaire.

11. Si la décision du troisième arbitre ne pouvait s'effectuer comme il vient d'être dit, ce choix serait dévolu au corps diplomatique.

12. La décision arbitrale serait signifiée au Makhzen, dans la personne du représentant du Sultan à Tanger et par les soins de la légation intéressée, qui, d'autre part, délivrerait au réclamant une pièce constatant le règlement intervenu.

13. Un délai de trois mois serait accordé à chaque sous-commission pour régler les affaires de son ressort. Passé ce délai, les affaires restées sans règlement seraient, *de plano*, déférées à la commission arbitrale prévue au § 10.

14. A l'issue des travaux de la commission, celle-ci délivrerait des titres définitifs aux titulaires des réclamations réglées.

15. En ce qui concerne les titulaires de créances liquidées résultant d'un contrat en due forme ou d'un compte régulièrement arrêté avec le Makhzen, ils se présenteraient, dans les conditions indiquées au § 5, devant la sous-commission chargée des affaires de leur nationalité, laquelle enregistrerait leur créance et leur délivrerait un titre définitif.

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16. Au cas où la sous-commission se refuserait à l'admission d'une créance de ce genre, l'affaire serait déférée à une commission arbitrale comprenant : un délégué chérifien *nommé par le représentant du Sultan à Tanger, un délégué de la légation intéressée*, et un délégué de la Banque d'État. La sentence de cette commission serait sans appel.

17. Chaque arbitre recevrait comme honoraires 1 pour cent sur le montant de la réclamation formulée, sans que ces honoraires fussent supérieurs à 2,000 fr. ni inférieurs à *50* fr.

18. Le montant des honoraires des trois arbitres serait avancé par le réclamant et resterait à la charge de la partie succombante. En cas de condamnation du Makhzen, la somme allouée au réclamant par les arbitres serait majorée du montant des dits honoraires.

19. Au cas où une affaire serait réglée par la Commission arbitrale sans l'intervention d'un troisième arbitre, le réclamant récupérerait la somme avancée par lui à titre d'honoraires de ce dernier.

20. Le montant des honoraires des arbitres devrait être déposé par le réclamant à la Banque d'État, avec affectation spéciale, avant l'ouverture de l'arbitrage.

21. En ce qui concerne les réclamations dont les titulaires auraient fait défaut, et qui néanmoins seraient déférés à la Commission arbitrale en vertu des dispositions du § 13, il serait accordé aux intéressés un délai de quarante jours pour effectuer le dépôt des frais d'arbitrage *prévu au* § 20. Passé ce délai, les réclamants *qui n'auraient pas rempli cette obligation seraient considérés comme ayant* renoncé définitivement à leur revendication, et la légation intéressée leur signifierait cette déchéance.

The total of these claims amounts to about 370,000*l.*

List No. 1 comprises claims already accepted by the late Makhzen on good claims of British subjects against the Makhzen, and generally not open to discussion or reduction.

List No. 2 contains those claims which in many cases are capable of reduction, and which in general require investigation.

[1715]

List No. 1.

Claim.	Francs.	Hassani dollars.	Spanish dollars.	£ s. d.	Remarks.
Balding, Sergeant	..	446·00	..	182 8 6	Losses at defeat of Moulai Abdel Aziz in Shawia, and losses in Beni Mtir.
Cabotage	..	1,344·01	..	..	Claims for return of customs duties wrongly levied.
Haynes	..	..	101·04	..	Goods supplied to late Makhzen.
Murdoch Butler	..	24,930·04	..	..	Claim for camels furnished to ex-Sultan, and for specie looted near Marrakesh.
Fernau	..	1,800·00	..	..	Claim for specie looted near Marrakesh.
Kaïd Maclean	..	..	..	583 14 11	Uniforms purchased for late Makhzen.
Pariente	1,590,121·35	..	..	..	Claim for coinage, &c., supplied to late Makhzen.
„	..	..	4,703·09	..	Claim for charters of steamers to late Makhzen.
Verdon	..	13,038·18	..	364 12 6	Claim for losses at rout of ex-Sultan's army in Shawia, and for arrears of pay.
Waller	..	880·00	..	..	Claim for instructing young Moors in sericulture at request of late Sultan.
Tobacconists	..	..	44,074·00	..	Claims for indemnities in connection with tobacco monopoly. Amounts fixed by special commission and not yet paid.
Abrines	..	255·14	..	..	Claim for damage caused to grain at custom-house, Tangier.
Lomas (Vice-Consul, Casa Blanca) ..	..	..	..	76 14 0	Claim for losses during bombardment of Casa Blanca.
Kaïd Maclean	..	..	..	185,045 12 0	Loan obtained from Messrs. Coutts and Co. by ex-Sultan.
„	..	..	..	19,397 0 0	Claim for arrears of pay, compensation for loss of appointment, and injury suffered by captivity under Raisuli.
Asayag	..	892·17	..	..	Claim for return of custom-house duties wrongly levied.
Ghio, N.	..	822·18	..	..	„ „ „ „
Lamb Bros.	..	148·00	..	..	„ „ „ „

List No. 2.

Claim.	Francs.	Hassani dollars.	Spanish dollars.	£ s. d.	Remarks.
Abitbol	..	7,000·17	..	..	Raid on country market. Not likely to be reduced much, perhaps 25 per cent.
Alvarez	..	35·00	325·00	..	Claim of captain of Moorish steamer for stores purchased by him.
Benzaquen Benoliel	..	..	225·05	..	Store robbery.
Bentolila	..	13,667·00	..	..	Raid on country market. Not likely to be reduced much, perhaps 25 per cent.
Carleton	..	4,500·00	..	..	Tribal raids. Reduction of perhaps one-third possible.
Consuelo	..	..	6,851·00	..	Piracy claim off Riff coast. Claim has already been considerably reduced.
Balensi..	..	3,945·00	..	..	Mr. Balensi died leaving no books. Doubtful if claim will stand investigation.
Engerer	..	10,137·00	..	..	Tribal raids. Very doubtful what amount will be awarded. Documents are quite in order, however.
Forde	..	2,920·00	..	..	Tribal raids. Claim supported by documents.
Fernau..	..	20,000·00	..	..	Claims for pillage, debts, &c. Amounts claimed supported by books of firm.
Hunot	..	18,699·00	..	..	Country debts for which Makhzen has been held responsible, as governors have collected many of the debts more than once, and have kept the money. Interest is claimed on amount due.
Lennox	..	1,502·00	..	..	Farming interests pillaged and losses in garden at Marrakesh. Claim good.
Lasry	..	4,916·05	..	..	Pillage of cattle. Probably accept two-thirds.
Molinari	..	300·00	..	..	Shop robbery. Probably accept two-thirds.
Murdoch, Butler, and Co.. ..	..	2,113·00	1,398·00	10,834 16 1	Mostly country debts. Same footing as Messrs. Hunot and Co.
Gazooli	..	14,638·00	..	..	Orders sent by late Makhzen to pay this claim. Amount was agreed upon.
Novella	..	2,174·00	..	..	Country robberies. Probably accept two-thirds or less.
Lazrac..	..	6,937·10	..	..	Destruction of olive grove in Berber country. Probably accept one-half to two-thirds.
Lapeen..	..	7,741·00	..	..	Claims appear very exaggerated. 25 per cent. perhaps good.
Patron	..	2,036·02	..	..	Probably accept two-thirds.
Rosilio..	..	30,000·00	..	..	Destruction and pillage of farm. Appears absurdly exaggerated. Without investigation impossible to fix any sum.
Spinney	..	..	..	3,134 0 4	Closing Marrakesh business owing to Mauchamp murder and Casa Blanca incident. Claim is good one if principle is admitted.
Sterwin	..	19·00	..	14 10 0	Robbery of horse. Claim good.
Sastre (Mediar)	..	..	81,495·00	..	Pillage of large farm near Tangier. Probably accept one-third less.
Sastre	..	11,291·00	..	..	Cattle, &c., lost in raids.
Fereres	..	8,023·00	..	..	Cattle, &c., lost in raids. Reduction perhaps of one-third possible.
Taylor and Son	..	..	..	1,412 0 0	Work done for Government, and salaries. No reduction.
Tobacconists	.	..	35,000·00	..	Claims in connection with tobacco monopoly, for loss through delay in payment. Might be arranged, perhaps, for from one-half to two-thirds.
Vasquez	..	..	6,000·00	..	This claim was not admitted by commission which fixed tobacco monopoly indemnities. Claim is being presented again.
Redman	..	..	..	200 0 0	Doubtful claim. Perhaps 25 per cent. might be allowed.
Ruah	..	1,505·00	..	..	Cattle raid. One-half to two-thirds would perhaps be accepted.
Simoni..	..	338·00	..	..	Shop robbery. Might accept three-quarters.
Podesta	..	250·00	..	..	Cattle robbery. Deduct at least one-third.
Molinari	..	300·00	..	..	Shop robbery. Might accept three-quarters.
Arias	..	89·05	..	..	Shop robbery. Cash and goods.
Dassoy, S.	..	1,060·00	..	..	Cattle claim. Appears absurdly exaggerated; 25 per cent. would be ample compensation.
Gomez..	..	850·00	..	..	Store robbery. Cash and goods.
Soledano and Levy	313·25	..	..	..	Robbery from office.
Bensimon	.	34,629·00	..	..	Old debts. Many documents very old. It is debatable whether Makhzen could be made responsible for them, unless it refuses to assist to collect them.
Matitia	..	2,741·00	..	..	Cattle raids, &c. Probably settle for two thirds.
Balestrino	..	16,642·00	..	..	Would probably accept three-quarters.
„ (Semsar)	..	1,890·00	..	..	„ „ „ two-thirds.
Labos	..	175·00	..	..	Absconded debtor case. Questionable if Makhzen can be asked to pay. Labos has put in an absurdly exaggerated claim.
Ansado (Semsar)	..	14,759·00	..	..	Probably accept two-thirds. (Mixed claims: debts, &c.)
Whitmore	..	10,045·00	..	..	This claim for debts will require serious investigation. Will probably be settled for much less than sum claimed.
Andrews	..	14,902·00	..	..	Claim for debts. Head of firm dead. Books carelessly kept. Same remarks as for Whitmore.
Carrara	..	2,300·00	..	..	Mr. Carrara has other claims, so this figure might stand.
Njai (Forde)	..	11,330·00	..	..	Cattle raid. Probably accept two-thirds.
Carrara (Semsar)	..	4,835·00	..	..	Pillage claim. „ „ „

Claim.	Amount of Claim.			Remarks.
	Spanish dollars.	£ s. d.		
Forde, Semsar (Asmi) ..	..	..	Pillage claim.	Probably accept two-thirds.
Benis, Jilali ..	..	..	Cattle claim.	" " "
Andrews (Semsar) ..	..	..	Pillage, &c.	" " "
Redman (Semsar) ..	..	..	Pillage claim.	" " "
Bonich	..	..	Claim against debt having been repaid.	Government official. No evidence of
Fernan (Safti) ..	..	..	Probably accept three-quarters.	
Fereres, Mrs. J. ..	..	..	Cattle raid.	Probably accept two-thirds or three-quarters.
de Maria, J. J. ..	..	..	Cattle raid.	Probably accept two-thirds or three-quarters.
Cohen, Semtob ..	..	..	Claim against relation of Sultan.	
Nahon, A. M. ..	418·08	..	Safe robbery.	Has been previously rejected by Moorish Government, but is being presented again. Should be paid in full if at all.
Bitton	..	..	Old debts.	Have been presented to Commission, but it is a question whether Makhzen can be asked to pay them.
Levy (Ayoun) ..	..	..	Pillage of market in Soos.	Probably capable of reduction to two-thirds.
Abensur (Mokht.) ..	..	..	Raid on his agent near Rabat.	Documents in order.
Cohen, Semtob ..	..	..	Raid on shops at Mequinez.	
Melka, Isaac ..	..	..	Pillage by Sultan's troops at Mzab, 1896.	

Claim.	Amount of Claim.		
	France.	Hassani dollars	
Forde, Semsar (Asmi) ..	..	4,968·00	
Benis, Jilali ..	..	1,050·00	
Andrews (Semsar) ..	..	3,300·00	
Redman (Semsar) ..	..	724·10	
Bonich	..	4,000·00	
Fernan (Safti) ..	..	779·10	
Fereres, Mrs. J. ..	..	2,093·10	
de Maria, J. J. ..	..	6,244·00	
Cohen, Semtob ..	..	877·00	
Nahon, A. M. ..	..	..	
Bitton	..	7,020·00	
Levy (Ayoun) ..	..	4,230·00	
Abensur (Mokht.) ..	..	420 00	
Cohen, Semtob ..	..	1,981·00	
Melka, Isaac ..	..	6,447·50	

[7600] No. 45.

Mr. Lister to Sir Edward Grey.—(*Received March* 5.)

(No. 30.) *Tangier, February* 27, 1910.

Sir,

I HAVE the honour to transmit to you herewith copy of the reply I received last month from the Vizier for Foreign Affairs to the note which I addressed to him pressing for the execution of the dahir granted by the ex-Sultan for the restoration of Menebhi's properties, which formed the enclosure in my despatch No. 299 of the 4th December.

As you will observe, the note is most unsatisfactory although it fails to refute any of the arguments which I had used. The statement, however, that the dahir was ante-dated caused me a certain amount of uneasiness owing to a remark which the French Consul made to me when I was at Fez with regard to negotiations which had passed on the subject for the restoration of Menebhi's properties at Casa Blanca after the final rout of Mulai Abd-el-Aziz.

I did not take it up at the time as there seemed to be a good prospect of an amicable settlement being arrived at. but Mr. White at Tangier made judicious enquiries of Menebhi and of the ex-Sultan and arrived at the conclusion that the dahir was undoubtedly sealed by Abd-el-Aziz at the date which it bore.

Since my return here this autumn, when I realised from Glawi's letter to Mr. White that all chance of a settlement through his good offices was at an end, I caused further investigations to be made, and I have arrived at the following conclusion :—

In the spring of 1907, when Abd-el-Aziz had determined to leave Fez for the south, he thought that Menebhi might be useful, and a message was conveyed to him to the effect that if a dahir were sent up by him to Fez, ordering the restitution of his properties, the Sultan would seal it. Menebhi caused two dahirs to be drawn up, the first ordering the restitution of his properties, the second giving orders to the Shereefian officials to execute the first, and in the event of the properties being sold to buy them back again. These dahirs were dated 8 Jumada II 1325, and were sent up to Fez. They were sealed by the Sultan, and the first was sent back to Menebhi by Sheikh Tazi, in a letter dated the 18th Jumada II, which Menebhi has in his possession. The second was never returned to him and he was told that it had been lost. After the ex-Sultan's final defeat Menebhi realised that he ought, if possible, to get a fresh copy of the second dahir, and he had one drawn up in Casa Blanca which Abd-el-Aziz sealed, the date being made to correspond with that of the first. Menebhi admits this, but he absolutely maintains the genuineness of the date of the first dahir, and I believe him. One of the points most in favour of his version appears to me to be that the date of the dahir is ten days earlier than that of Sheikh Tazi's letter, the difference being due to the fact that the dahir was drawn up here by Si Kassim, Menebhi's man of business, and sent up to Fez for signature. If there had been any trickery Menebhi would almost certainly have made the dates the same, and would not have been likely to think of such a complicated story. The two dahirs bear different seals which also bears out Menebhi's version of the case.

Before answering Cid Aissa-ben-Omar I wrote to M. Gaillard reminding him of our conversation at Fez. I told him what I believed to be the true version of the story, and asked him to tell me exactly what he knew of the matter. He was a long time in answering my letter as he had to refer to old papers and notes, but I have now received a letter from him in which he writes :—

"Après la déroute du 19 août, Menebhi me pria d'appuyer une demande qu'il adressait à Moulai Abdel Aziz concernant la restitution de ses propriétés, ce que je fis volontiers, mais je ne m'occupai pas de la rédaction du dahir, qui fut, je crois, préparé par Ben Sliman. Il n'y a donc aucune contradiction entre mes renseignements et la conclusion à laquelle vous a conduit l'enquête de Mr. White et de Mr. Irwin."

This appears to be satisfactory, and I have now drawn up a reply to Cid Aissa-ben-Omar, copy of which is enclosed herewith, in which I state clearly that my information and the evidence in my possession lead me to believe that the dahir was granted at the date which it bears, and that it is for the Makhzen to disprove it. I have attempted to dispose of the old arguments on which the Sultan takes his stand with regard to the previous arrangement and the question of Menebhi's protection,

also of the idea that when at Fez I had asked for a settlement of the case as a "favour or concession," and the question seems now to turn on whether the Makhzen can prove that the first dahir was ante-dated. In any case it was granted before the final defeat, as Menebhi told Mr. Harris of its existence before that date, and it is therefore a valid document.

I have, &c.
REGINALD LISTER.

P.S.—I think it more than likely that the original second dahir was lost deliberately, and that Abd-el-Aziz thought that he would wait and see how things turned out before giving orders for the execution of the dahir restoring the properties, which would be sufficient to win Menebhi over to his side for the moment.

R. L.

Enclosure 1 in No. 45.

Cid Aissa-ben-Omar to Mr. Lister.

(Translation.)
(After compliments.) 6 *Hejja*, 1327 (*December* 20, 1909).

WE have received your letter complaining of the delay in the settlement of the case of Hadj Mehdi-el-Menebhi, which case, you state, you fully explained to our Lord when you were at the court at Fez last year. You say that you were promised by him that the case should be settled in a satisfactory manner on his arrival at Rabat; but that, since events have occurred which have obliged His Majesty to remain at Fez, you have received orders from your Government to again press this matter, and to draw the attention of His Majesty thereto, so that a settlement may be arrived at.

You further state that protection was granted to El Menebhi at the special request of him whom you name at the time you mention, and that when the Makhzen took possession of his properties, with the exception of those in Tangier, the legation complained to the Makhzen, and that after lengthy correspondence Menebhi agreed to an arrangement being made containing the stipulations you enumerate, and which you state was rendered null and void by the failure of the Makhzen to carry out those stipulations, and also by the dahir of Mulai Abd-el-Aziz, dated the 8th Jumada II, 1325, by which he returned to El Menebhi the confiscated properties, and that, in short, you were instructed by your Government to insist upon effect being given to the terms of the said dahir.

We acquainted our Lord of your letter, and he commanded me to reply to you that the agreement come to with Mulai Abd-el-Aziz was still in the Dar-en-Niaba, and that you doubtless possess a copy thereof, and that any action should be in conformity therewith; and that the request you made to His Majesty when at Fez was not made in this manner, but as a favour only; and that he answered you verbally at the time that the matter was one in which agreements had been arrived at, and that an amicable settlement would be come to in the case acceptable to both parties, so that the minds of all should be content. And that His Majesty neither did, nor does, contest El Menebhi's protection, nor does he oppose it in any way, were it granted by permission of Mulai Abd-el-Aziz or anyone else; but that, as regards El Menebhi's claim that his properties were restored to him by Mulai Abd-el-Aziz by dahir, it is certain that Mulai Abd-el-Aziz had no meetings or correspondence of a friendly nature with El Menebhi until after his deposition and defeat, and that it is not proper that El Menebhi should rely on anything of that nature which occurred under those conditions. The ante-dating thereof (*i.e.*, the dahir) is one of the things that go to support this contention. For, if it (the dahir) had been written at the date it purports, El Menebhi's things would not have been sold nor his houses confiscated and entered on the Government registers through the intermediary of your representative here and at Marrakesh.

His Majesty has also commanded me to reply to you that the friendly Government of Great Britain is the first to recognise justice and to act in conformity therewith; and that you certainly know that if it were permissible to annul the said agreement, then would it also be permissible to annul every treaty, whether for or against the Makhzen; and also that the observation of obligations is the safer course.

With regard to the argument that the terms of the agreement were rendered

null and void by their non-fulfilment, then, without doubt, if they were annulled, amongst them was the first stipulation, *i.e.*, the protection: for it is necessarily understood that if the treaty is non-existent, so also are its stipulations.

If, however, the friendly British Government asks for a settlement of this case as a concession, and with due regard to the interests of the two parties, in the manner in which the discussion was originally started between you and the court, O friend! then His Majesty is prepared to do this; but if you ask it as being in accordance with justice and equity, then His Majesty does not see the justice of the case in the first place.

AISSA-BEN-OMAR.

Enclosure 2 in No. 45.

Mr. Lister to Cid Aissa-ben-Omar.

(Translation.)
(After compliments.) *Tangier, February* 27, 1910.

I HAVE received your letter of the 20th December, 1909 (6 Hejja, 1327), in connection with the restoration of the properties of Hadj Mehdi-el-Menebhi.

You revert once more to the arrangement come to with Mulai Abd-el-Aziz, and state that any action taken should be in conformity therewith. In reply, I must repeat what I have stated to you before—that in the opinion of His Majesty's Government that arrangement lapsed, owing to the non-fulfilment by the Moorish Government of one of the principal conditions to which they had agreed. Moreover, it was entirely superseded by the grant to Menebhi by Mulai Abd-el-Aziz of a dahir, dated 8 Jumada II, 1325 (July 1907), restoring to him his properties. You say that at that time Mulai Abd-el-Aziz had no meetings or correspondence with Menebhi of a friendly nature, and you speak of the ante-dating of the dahir. I have caused careful enquiry to be made with regard to this matter, and my investigations have led me to the conclusion that the dahir was granted at the date which it bears. I have evidence of the fact in my possession, and it is for the Makhzen to disprove it.

What you say with regard to the protection granted to Menebhi shows me that you are under a misapprehension. The protection has absolutely nothing to do with the case now under discussion, having been granted more than a year before the properties were confiscated in the first instance. It formed absolutely no part of the agreement come to some three years later, and never executed, owing to the failure of the Makhzen to fulfil their engagements, and should be left out of the discussion altogether.

There can be no question of any concession or favour in the matter, which is one for justice, and the Sultan is under a misapprehension when he says that I asked for a settlement of the case on such grounds when at court. I asked His Majesty, as a favour to myself, to allow Menebhi to come up to Fez during my stay there, and lay his case personally before the Sultan. His Majesty, however, refused to accede to my request, promising that he would receive him when he went to Rabat in the near future. As the possibility of his going to Rabat appears excessively remote I have been instructed by my Government to present the case officially, and I must insist once more most earnestly on the execution of the dahir and the restoration of the properties.

[7918] No. 46.

Sir F. Bertie to Sir Edward Grey.—(Received March 7.)

(No. 93.)
Sir, *Paris, March* 5, 1910.

WITH reference to my despatch No. 86 of the 1st instant, I have the honour to report that it is announced in the press this evening that M. Pichon signed yesterday, with El Mokri, the Franco-Moroccan agreements which have formed the subject of the recent negotiations.

I have, &c.
FRANCIS BERTIE.

[5878] No. 47.

Sir Edward Grey to Sir F. Bertie.

(No. 112.) *Foreign Office, March 7, 1910.*

Sir,

THE Casablanca Claims Commission has at last completed its labours, and the question of the expenses involved thereby must now be considered.

In a memorandum communicated by the French embassy on the 18th August, 1908, the French Government proposed that a surcharge of 5 per cent. should be added to the amount of the indemnities awarded by the commission to cover the expenses of the latter. In the memorandum, which I communicated a few days later to M. Cambon, I concurred in this proposal, adding that I presumed that the commissioners of each State would be remunerated out of the surcharge on the amounts awarded to their compatriots, not that a general fund should be formed, out of which all the expenses would be paid. Both these memoranda will be found in the Morocco print for 1908.

I should be glad if you would ascertain from the French Government whether they still adhere to their proposal, and if so, in what manner they proposed to give effect to it.

I am, &c.
E. GREY.

[5878] No. 48.

Foreign Office to Mr. Thorne.

Foreign Office, March 7, 1910.

Sir,

I AM directed by the Secretary of State for Foreign Affairs to acknowledge the receipt of your report, dated the 18th ultimo, on the proceedings of the International Casablanca Claims Commission.

Sir Edward Grey has much pleasure in conveying to you the thanks of His Majesty's Government for the manner in which you have carried out your arduous duties as British commissioner. The fact that the British claims were passed by the commission practically in the form they were presented, or with comparatively slight reductions, is in itself a striking proof of the confidence which your preparatory work, and the conscientious preliminary labours of the committee of British residents, to the value of which you call attention, inspired in your colleagues. His Majesty's Government highly appreciate the skill and tact which must have been an important element in assuring the satisfactory results obtained. They feel that British interests could not have been entrusted to safer or more efficient hands.

Your report has been read with great interest, and the suggestions and recommendations contained therein will carry much weight in the event of the institution of any similar international commission in the future.

Note has been taken of the testimony which you bear to the value of the services rendered to you by your clerk, Mr. Black-Hawkins, and effect will be given to your recommendations as to the prompt acknowledgment of the services rendered by M. Bensaquen and Herr Opitz.

I am, &c.
W. LANGLEY.

[8223] No. 49.

Mr. Lister to Sir Edward Grey.—(Received March 9.)

(No. 35.) *Tangier, March 1, 1910.*

Sir,

THE opinion has been generally expressed amongst the foreign representatives that something should be done to enable claimants who have been awarded indemnities by the Casa Blanca Commission to discount the amounts of such indemnities. M. Regnault has now drawn up a note on the subject to the doyen of the diplomatic body, copy of which I have the honour to enclose herewith. His proposal is that the various legations should deliver to their subjects and protégés who

have been awarded indemnities certificates for the amounts granted them, which they would be able to negotiate pending payment by the Moorish Government. In the case of those claimants who are not represented by any legation, the certificate would be given by the State Bank.

It is further proposed by M. Regnault that, as on previous occasions, the claimants should eventually be paid through their respective legations. Those who have meanwhile negotiated their claims will be called upon to notify their legation as to the persons to whom the amount in question should be paid.

The above proposals have been made by the French Minister, after consultation with a local French lawyer, and are almost certain to meet with the general approval of the foreign representatives, who feel that something should be done to alleviate the strain imposed on local trade by the locking up of the sums involved. As, in the past, claims of British subjects have always been paid through His Majesty's Legation, I have ventured to approve M. Regnault's proposals on behalf of His Majesty's Government, while informing him that I would submit them to you for your consideration.

I have, &c.
REGINALD LISTER.

Enclosure 1 in No. 49.

M. Regnault to Dean of Diplomatic Body.

Tanger, le 9 février, 1910.

M. le Doyen et cher Collègue,

LE Comité consultatif français de Commerce m'a saisi de la question des cessions par les intéressés des créances qui leur ont été reconnues par la Commission internationale des Indemnités de Casablanca et qui sont à recouvrer sur le Makhzen.

Il semble en effet désirable, afin de répondre aux vœux légitimes exprimés par les diverses colonies, de faciliter les moyens pour les bénéficiaires d'escompter dès maintenant leurs créances.

Dans ce but, j'ai l'honneur de soumettre au corps diplomatique les mesures que la Légation de France est prête à adopter en ce qui touche ses ressortissants. Elles sont exposées dans la note ci-jointe, appuyées par une consultation juridique que j'ai demandée à Me Daniel Saurin.

L'intervention des légations n'a été prévue et ne se trouverait justifiée que pour leurs administrés en ce qui concerne la procédure proposée. Il n'a pas paru cependant que nous devions nous désintéresser de la façon dont les indemnités prononcées par la Commission internationale de Casablanca serait distribuées aux sujets marocains, musulmans ou Israélites, et aux étrangers qui ne ressortissent à aucune légation accréditée au Maroc.

Les Puissances étant intervenues pour faire reconnaître et régler les réclamations présentées par cette catégorie d'intéressés, il semble qu'elles sont en droit de stipuler en leur faveur pour assurer la régularité des répartitions et, s'il y a lieu, des transports de créances.

C'est afin d'éviter des abus qui annihileraient en fait l'œuvre de la Commission internationale et de placer tous les attributaires dans une situation favorable que nous proposons de désigner, à défaut de légation intéressée, la Banque d'État du Maroc, pour procéder aux opérations concernant ces ayants droit.

Je vous serai reconnaissant, M. le doyen et cher collègue, de vouloir bien saisir le corps diplomatique de ces diverses questions, qui présentent un réel caractère d'urgence.

J'ajoute qu'au cas où les vues exposées dans la note ci-jointe seraient adoptées par nos collègues, il y aurait lieu, semble-t-il, d'adresser une notification officielle au Makhzen et à la Banque d'État du Maroc.

Veuillez, &c.
REGNAULT.

Enclosure 2 in No. 49.

Note respecting Indemnities awarded by Casa Blanca Commission.

LA Commission des Indemnités de Casablanca a terminé ses travaux. Le montant des sommes que le Makhzen aura à payer à chacun des intéressés est donc définitivement arrêté. Les ayants droit qui ont été avisés de la décision prise à leur égard par la commission se préoccupent de réaliser dès maintenant la créance qui leur a été ainsi reconnue. Ils exposent qu'en leur facilitant les moyens d'escompter cette créance, on ferait œuvre utile non seulement aux intérêts privés, mais encore au commerce en général. On répondrait aux préoccupations légitimes manifestées, à cet égard, par diverses colonies, en étudiant, comme elles le demandent, les moyens pratiques les plus propres à rendre possible la cession des créances en question.

Les législations appliquées dans les divers pays représentés au Maroc ont, en matière de transport de créances, des dispositions qui, naturellement, ne sont pas identiques. Les plus exigeantes requièrent, pour que la cession soit opposable aux tiers, qu'elle ait été signifiée par huissier au débiteur cédé ou acceptée par celui-ci dans un acte authentique.

D'autre part, la délivrance du titre par le cédant au cessionnaire, même lorsqu'elle n'est pas absolument indispensable, présente de sérieux avantages. S'il n'est pas dans le pouvoir des légations d'unifier les textes dont il s'agit, elles peuvent du moins se concerter pour l'adoption d'une procédure de paiement des indemnités qui permettrait aux intéressés de satisfaire facilement aux diverses prescriptions qui leur sont imposées par la loi dont ils relèvent.

En ce qui concerne la constitution d'un titre, il semble que ce résultat pourrait être rapidement atteint. Il suffirait d'apposer sur l'avis officieux aux intéressés l'indemnité allouée, une formule reconnaissant une valeur officielle à cet avis. Les termes de cette formule seraient naturellement arrêtés par chaque légation pour ce qui concerne ses administrés.

Il y aurait d'autre part un très sérieux intérêt à ce que les paiements fussent effectués non pas directement à chaque indemnitaire par ordre du Makhzen, mais à chaque légation pour l'ensemble de ses ressortissants avec charge de les distribuer aux ayants droit. En substituant ainsi la légation au Makhzen on serait, en effet, plus sûr, en fait, que les droits des cessionnaires seraient respectés; il deviendrait en même temps possible à ceux-ci de remplir les formalités souvent inexécutables à l'égard du Gouvernement local, qui peut, en ce qui le concerne, refuser de se prêter à leur accomplissement.

Dans ces conditions, la procédure suivante pourrait être adoptée :—

1. Chaque légation notifierait au Makhzen et à la Banque d'État la liste et le montant des indemnités accordées à ses administrés. Elle ferait connaître qu'elle a pouvoir d'en encaisser le montant global et de distribuer les sommes aux bénéficiaires, ses ressortissants, le versement fait entre ses mains libérant le Makhzen.
2. Chaque légation établirait, comme il a été dit plus haut, le titre délivré à ceux de ses ressortissants qui lui en feraient la demande.
3. Les cessions seraient signifiées dans les formes fixées par la législation du cédant.
4. La légation paierait à l'indemnitaire et, en cas de cession, aux cessionnaires, au lieu et place du cédant.

Ce système paraît du reste conforme aux précédents : ce sont d'ordinaire les légations qui versent entre les mains de leurs administrés les indemnités qu'elles ont obtenues du Gouvernement local.

Quant aux sujets marocains et à tous ceux qui ne ressortissent d'aucune légation, le versement des indemnités qui leur ont été allouées serait effectué par les soins de la Banque d'État.

C'est donc à cet établissement que les cessions devraient, dans ce cas particulier, être notifiées, en se conformant aux prescriptions de la législation qui lui est applicable.

On trouvera, ci-joint, à toutes fins utiles, une note* où M. Saurin expose les raisons juridiques qui rendent hautement désirable pour les cessionnaires la substitution des légations au Makhzen dans la qualité de débiteur cédé.

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* Not printed.

[8462]

No. 50.

Sir M. de Bunsen to Sir Edward Grey.—(*Received March* 11.)

(No. 23. Confidential.)

Madrid, March 7, 1910.

Sir,

THE steps taken by the French Government to enforce acceptance at Fez of the conditions attached by them to the proposed Morocco loan have been followed with evident nervousness by the Spanish Government. I mentioned in my despatch No. 289 of the 28th December last that the late Foreign Minister, Señor Perez Caballero, had expressed apprehension lest the guarantees demanded by France might involve the invasion of what Spain regards as her own sphere of influence in Northern Morocco by a host of French financial agents charged with the control of certain Moorish taxes. Señor Garcia Prieto, the new Foreign Minister, was much embarrassed by a request made by the French Ambassador that, in the event of the withdrawal of the French consul and colony from Fez as a means of exercising pressure upon the Sultan, the Spanish consul and colony should follow suit. As reported in my telegram No. 3 of the 19th February, Señor Garcia Prieto replied to M. Révoil that, if this step unfortunately became necessary, the Spanish withdrawal would be explained to the Makhzen as having been dictated by considerations of prudence in view of a possible native rising against Europeans rather than by any desire to make a political demonstration on the side of France. The surrender of the Sultan to the French demands has prevented this difficulty from arising. The Government of Señor Canalejas is, however, still feeling very uneasy as regards the progress of events in Morocco. Two conversations which I have held with Señor Canalejas since his accession to office have left me under the impression that his Excellency regards the success of the French negotiation as a decided step towards the establishment of a virtual French protectorate over Morocco. I reported some of the Prime Minister's remarks in my despatch No. 16, Confidential, of the 19th February. He reverted to the subject during a visit which I paid him at his official residence on the 4th instant. He said it was becoming impossible for Spain to make the slightest move in the region of Ceuta, which was undoubtedly within her sphere of influence, without arousing the inquisitiveness, and even opposition, of the French. Lately some French officers had been in Ceuta disguised as Moors. He could hardly imagine that they could have acted without the knowledge and approval of their superior officers. French influence, he added, was always being employed to set the minds of the Makhzen against the very necessary works which Spain was carrying out on the road from Ceuta to Tetuan.

I said that French vigilance had probably been aroused by the course of events at Melilla. There also "necessary works" were being carried out in the neighbourhood of the town in July last. The inevitable "incident" occurred, and within three or four months Spain had been led on to occupy an extensive district beyond her boundary. I said I presumed that the Spanish Government would adopt all possible precautions to prevent, as they could if they chose, the Tetuan road becoming the scene of a similar incident. Señor Canalejas replied that they would certainly do so, but that if the neighbouring tribes used violence to stop the works Spain would of course be compelled to make reprisals.

The French Ambassador had, indeed, already spoken to me seriously on this subject. M. Révoil is beginning to suspect that a Spanish movement on Tetuan is already in contemplation. Just as the French occupation of the Shawia and Ujda regions led up to the Spanish counter-stroke in the Riff, his Excellency fears that the consolidation of the French general position in Morocco as the result of the recent loan negotiations will bring about a similar Spanish movement in the neighbourhood of Ceuta. M. Révoil hears that the Ceuta garrison has been increased since last summer from 6,000 to 10,000 men. He attaches weight to suggestions which are beginning to appear in the newspapers to the effect that something should be done to show that Spain is extending her influence in Morocco as well as France. The Conservative "Epoca" published an article in this sense a few days ago which his Excellency regards as very significant, considering the close understanding now existing between Government and Opposition. He fears also that the influence of the King and army is likely to be exercised in the direction of making another forward movement.

It is to be hoped that more moderate counsels will prevail, but there can be no

doubt that Spain notes with apprehension the strengthening of the French hold on Morocco, that since the conclusion of the Franco-German agreement of February 1909 she has increasingly felt the relative weakness of her own position in that country, and that an attempt to redress the balance by means of a military occupation of Tetuan, evacuated under foreign pressure in 1861, would appeal powerfully to the patriotic sentiments of many Spaniards who felt no enthusiasm for the recent campaign in the Riff region.

I am sending a copy of this despatch to His Majesty's Minister at Tangier.

I have, &c.

MAURICE DE BUNSEN.

[8582] No. 51.

Consul MacLeod to Sir Edward Grey.—(*Received March* 12.)

(No. 4.)

Sir, *Fez, March* 1, 1910.

DURING the last few days the chief preoccupation of the Sultan has been the ultimatum sent by France, in concert with the Powers chiefly interested, and to the terms of which His Majesty finally consented in full.

Simultaneously with the dispatch of the ultimatum from Tangier, the Sultan's Ambassador at Paris handed to the French Government the Sultan's ratifications of understandings to which the Ambassador and the French Government had come.

These ratifications were, however, sent direct to the Ambassador, and while the French consul here and the French Minister at Tangier knew that some ratifications had been forwarded they were not informed of the particulars.

The Sultan made much resistance to the ultimatum, which, at first sight, would seem strange, seeing that he had already sent ratifications of the arrangements made at Paris. The explanation is that the ultimatum contained not only the ratifications of the arrangements made at Paris, but guarantees for their execution, and the Sultan's assent to a number of other demands not included in the Paris arrangements.

The demands, according to what my French colleague has kindly informed me, comprised in the ultimatum were as follows, and all of them have been assented to by the Sultan:—

1. The loan contract.
2. Arrangement regarding Shawia and Casa Blanca.

(The above were the subjects of the ratifications sent to the Moorish Ambassador at Paris.)

3. Arrangement regarding the districts of Udja, Tafilelt, and the eastern frontier generally.
4. Guarantee of non-interference in future by Ma-al-Ain, in Adrar district, and orders in that sense to the Moorish Kaïd of Sus district thereto adjacent.
5. Orders to the respective port authorities for the carrying out of article 60 of the Act of Algeciras, *i.e.*, regarding freedom of purchase of realty by foreigners.
6. Issue of full powers to the Moorish Claims Commission at Tangier to examine, and conclusively adjudge upon, foreign claims.

In regard to the loan contract, as part of the securities given are the "mestafad," on inland taxes, market dues, &c., of the ports, guarantees had to be given for the co-operation of the respective Moorish authorities with the loan officials for their collection.

As regards Shawia, the arrangement is that the Sultan will at once institute a police force there of 1,500 men, analogous to the police forces of the ports, which done, the French will evacuate Shawia in such wise as to accelerate the Sultan's proceeding to Rabat and himself visiting Shawia. With reference to Casa Blanca, the French Government reaffirm that Casa Blanca is Moorish territory and will also be evacuated when all the claims and other matters connected with it have been discharged and the circumstances permit. Apparently Casa Blanca will be the security held for the payment of that part of the loan which is made by the French Government themselves, and from which they are to recoup the cost of their military operations in that region.

The frontier arrangements include the immediate appointment of a Moorish

High Commissioner to carry out existing treaties, and the issue of orders to the Viceroy of Tafilelt to co-operate in suppressing raids on caravans and other disorders.

The orders for the execution of article 60 of the Act of Algeciras, and the issue of full powers to the Debts Commission at Tangier are, obviously, of great interest to all Europeans.

So far as I could ascertain, the arrangements do not include any provision for improving the position of the French military mission, nor any other reform in the interior of the country. It would therefore appear that the Sultan, throughout, has been left to follow his ideas, reported in the last paragraph of my despatch No. 3 of the 22nd February, as to "letting the ports go," and "preserving his independence in the interior as far as possible."

I should state that all the foregoing is narrated from memory only, and is submitted only to afford means of comparison with other information on these subjects.

Though now generally known—in a vague way of course hereabouts—these ratifications and guarantees have occasioned no resentment whatever so far on the part of the native public. Indeed, the commercial and official classes, who alone have any approach to comprehension of them, seem well content that a rupture with France and the Powers has been avoided.

There has been nothing else of any interest to relate during the last few days except the continuance of rumours of disaffection in the provinces around Marrakesh, which are attributed to the exactions of the kaïds towards complying with the Sultan's calls for money from them.

I have, &c.

J. M. MACLEOD.

[8566] No. 52.

Mr. Lister to Sir Edward Grey.—(*Received March* 12.)

(No. 36. Confidential.)

Sir, *Tangier, March* 5, 1910.

IN continuation of my despatch No. 26, Confidential, of the 20th ultimo, I have the honour to report that the note addressed by M. Regnault to Si Aissa-ben-Omar, setting forth the various demands made by France, was delivered to the Vizier for Foreign Affairs by the French consul at Fez on the 22nd February. On the following morning M. Gaillard was received by the Sultan, attended by his viziers. His Shereefian Majesty expressed great surprise at the dispatch of the note, considering that he had already sent orders for the ratification of the various agreements come to between El Mokri and the French Government in Paris. M. Gaillard pointed out that this was not sufficient, and that he must insist on a solemn engagement from the Sultan that he accepted all the various demands made in M. Regnault's present note. The discussion appears to have lasted more than two hours, and finally M. Gaillard received assurances from the Sultan that he would comply with the demands. He promised to send him a written reply within twenty-four hours. M. Gaillard had a subsequent interview with the viziers, and the latter sent in to the Sultan a draft of the reply which they proposed to return, in the sense of the promises he had given M. Gaillard. In the evening, however, the Sultan appears to have got much excited with drink, and himself wrote a reply, which was altogether unsatisfactory and none too civil in tone. He made all sorts of difficulties with regard to the full powers to be given to the Moorish Ambassador at Paris, and refused to dismiss the Turkish instructors. M. Gaillard returned the note, which he felt sure was written under the influence of liquor, and intimated to the Makhzen that, unless the demands of the French Government in their entirety were complied with at once, he must withdraw from Fez, taking with him the French Military Mission and all the members of the French colony. His Majesty's consul, who had so far taken no action in the matter, then, after consultation with M. Gaillard, sent word to the Minister for Foreign Affairs that he desired to see him as soon as possible. He intended to inform him that he too had received my instructions to leave with his colony were the French demands not complied with. This, however, did not prove necessary, as in the meantime a message was sent to M. Gaillard to the effect that the Makhzen had decided to comply fully with the French demands, and that an

amended note with various letters appended was being sent to him at once. These documents were examined by M. Gaillard and proved satisfactory, as I had the honour of informing you in my telegram No. 16 of the 1st March. They were dispatched by special messenger to M. Regnault, and he has been kind enough to communicate to me the translations which have been made of them, copies of which I have the honour transmit to you herewith.

M. Regnault tells me that he considers the various letters quite satisfactory, and is very much gratified at the successful result of the French action.

Mr. Macleod informs me that there was no sort of excitement at Fez when the situation became known, the opinion being generally held that the Sultan would give way. Indeed, to the well-to-do classes His Shereefian Majesty has become such an object of dislike that the predominant feeling was one of satisfaction at his discomfiture. The merchant class, who have so many claims so collect, are positively desirous to have the loan carried through as soon as possible.

In Tangier very general satisfaction prevails, and all the various merchants, after years of anxious waiting, are rubbing their hands at the thought that the end is in sight.

It is satisfactory to note that Cid Guebbas has received orders to give effect to article 60 of the Algeciras Act relative to the acquisition of real estate by foreigners. His Excellency has already notified these instructions to the doyen of the corps diplomatique for the information of the representatives of the Powers.

I have, &c.

REGINALD LISTER.

Enclosure 1 in No. 52.

Si Aissa-ben-Omar to M. Regnault.

(Traduction.)

(Après les salutations.) 13 *Safar*, 1328 (24 *février*, 1910).

J'AI bien reçu votre lettre datée du 18 février et pris bonne note de son contenu.

Je l'ai portée à la connaissance de Sa Majesté (que Dieu l'élève!).

Sa Majesté en a été très douloureusement surprise, attendu qu'elle avait déjà ratifié les accords conclus à Paris à la date du 3 Moharram, 1328 (15 janvier, 1910), et y avait adhéré à la date du 27 du même mois (8 février).

Votre consul ici en avait été informé, ainsi que le Makhzen a l'habitude de le faire en vue d'affermir la bonne entente.

Votre Excellence demande actuellement—

1. Que le Makhzen chérifien ratifie l'accord intervenu à la date précitée, correspondant au 15 janvier, entre l'Ambassade chérifienne et le glorieux Gouvernement.

Or, le Makhzen chérifien a approuvé cet accord et l'a ratifié complètement, ainsi qu'il résulte d'une lettre précédente de Sa Majesté, adressée à l'Ambassade chérifienne à la date du 27 du même mois de Moharram (8 février).

2. En ce qui concerne les mesures nécessaires qui ont été indiquées comme devant être prises au sujet du Shéikh Ma el Ainin, mesures exposées dans le texte de l'article 10 du dit accord et comportant l'envoi d'ordres chérifiens aux gouverneurs du Sous et de l'Oued Noun, le Makhzen a déjà adressé ses ordres aux dits gouverneurs, et il a pris à ce sujet les mesures indiquées au dit article 10, ainsi qu'il ressort des copies de lettres ci-jointes qui traitent de cette question.

3. Demande d'envoi d'ordres chérifiens prescrivant l'application intégrale de l'article 60 de l'Acte d'Algéciras.

Le Makhzen avait déjà envoyé ses instructions souveraines à son représentant, Sid Mohammed el Guebbas, l'invitant à exécuter cet article en raison des droits qui y sont conférés aux étrangers et qui ne comportent aucun retard. De nouveaux ordres lui ont été adressés, en vue de l'exécution de cette décision, par une lettre chérifienne dont vous recevrez ci-incluse une copie.

4. Nomination par Sa Majesté du Haut Commissaire marocain prévu à l'article 3 du dit accord relatif à la frontière, avec pleins pouvoirs pour remplir ses fonctions, spécifiées à l'article 4 de cet accord.

Le Makhzen chérifien a nommé ce Haut Commissaire, qui est le Hadj Abdesselam-ben-Abdessadak, et lui a remis pleins pouvoirs pour remplir ses fonctions conformément à l'article 4 précité; copie de ces pouvoirs vous parviendra ci-joint.

5. Demande relative à la surveillance qui s'impose dans la région de Bou Denib et Bou Anane, conformément à l'article 10, qui prévoit la collaboration des autorités françaises limitrophes et la désignation d'un chef marocain pour escorter les caravanes circulant entre le Tafilelt, Bou Denib, et Bou Anane.

Le Makhzen a donné l'ordre pour faire le nécessaire pour cette surveillance, en vue de la liberté du commerce et de la sécurité des caravanes, conformément à l'article 10 du dit accord.

Le chef marocain a été désigné par Sa Majesté; c'est le serviteur de notre maître, le Caïd Si Omar ech-Chebbeni; copie de la lettre adressée à Moulay Rechid à ce sujet vous parviendra ci-joint.

6. Envoi d'ordres chérifiens au sujet de l'emprunt et donnant pleins pouvoirs à cette fin à El Hadj Mohammed el Mokri.

Le Makhzen lui a conféré pleins pouvoirs afin qu'il lui soit possible d'achever de traiter cette affaire, actuellement en cours de négociations, ainsi que celle des garanties sur lesquelles l'accord interviendra, et de les conclure définitivement, sans qu'il ait besoin d'en référer à Sa Majesté chérifienne. Une lettre dans ce sens ayant déjà été envoyée au Ministre des Finances, on la lui a confirmée par une seconde, dont ci-jointe une copie.

7. Demande d'envoi de pleins pouvoirs à la Commission des Dettes, avec dispense d'en référer à Sa Majesté chérifienne; le nombre de ses membres sera porté à dix, afin de lui faciliter ses travaux, conformément à la procédure arrêtée par l'honorable corps diplomatique à Tanger.

Le Makhzen chérifien désignera huit délégués afin de porter à dix [le nombre des membres de la commission], et il leur donnera des pouvoirs pour hâter le règlement des réclamations sans en référer à Sa Majesté chérifienne, afin d'éviter les retards, et conformément à la procédure arrêtée par l'honorable corps diplomatique.

En ce qui concerne les protestations auxquelles a droit la mission militaire française et pour lesquelles elle a déclaré rencontrer des difficultés, le Makhzen chérifien est prêt à entrer en pourparlers et à se mettre d'accord avec le chef de la mission militaire dans des conditions qui lui donneront satisfaction et qui mettront fin à toute difficulté, conformément à la demande de celui-ci. Que le Gouvernement français ait toute tranquillité à l'égard de ces officiers, car ils font l'honneur du Makhzen chérifien en assurant l'organisation et l'instruction de ses troupes.

En ce qui concerne les Turcs qui s'étaient rendus à la méhalla lorsqu'elle avait besoin d'instructeurs, le chef de la méhalla fortunée a reçu l'ordre de les licencier et de les renvoyer, étant donné qu'ils n'avaient pas de caractère officiel, que le Makhzen ne les avait pas fait venir, et qu'ils étaient simplement de ces gens qui viennent au Maroc de leur propre initiative. Quant aux instructeurs français, le Makhzen désirerait qu'ils se rendissent à leur poste à la méhalla fortunée.

D'autre part, en ce qui concerne les négligences imputées au Makhzen chérifien, qui, selon votre Excellence [auraient altéré] les bonnes relations [avec votre Gouvernement], je vous serais reconnaissant de me les faire connaître afin que je puisse les exposer à Sa Majesté, car tous ses efforts ne tendent que vers le bien, la loyauté constante, et la bonne entente.

Salutations finales.

Enclosure 2 in No. 52.

Summary of Letters.

LETTERS to governors of Oued Noun, Ba'sila, Ait Ba Amran, and Ras-el-Oued instructing them to prevent the smuggling of arms into the territory of Ma-el-Aineen.

2. Letter from the Sultan to Cid Guebbas ordering him to apply article 60 of the Algeciras Act, relative to the acquisition of real estate by foreigners, whilst defining the conditions of such acquisition for the governors and kaïds in the districts over which they have authority. The letter adds that no time should be lost in applying this article, which has been pressed for by the representatives of all the Powers.

3. Firman appointing the Shereefian High Commissioner, Abdessadek, who is to work as plenipotentiary with the agents of the French Government on the Algerian frontier in connection with the fulfilment of the agreements of 1901 and 1902.

4. Letter from the Sultan to Moulai Rechid at Tafilet, instructing him as to the measures to be taken for the free and secure circulation of caravans in the district of Tafilet in accordance with the Franco-Moroccan agreements, and ordering him to support the special emissary, Kaïd Echerradi, in affording the necessary protection to the caravans and to trade generally.

5. Letter from the Sultan to El Mokri, giving him full powers to conclude the loan agreement with the French Government in Paris.

[8567] No. 53.

Mr. Lister to Sir Edward Grey.—(*Received March* 12.)

(No. 37. Confidential.)

Tangier, March 5, 1910.

Sir,

I HAVE received your despatch No. 19 of the 21st ultimo, informing me of the desire of Kaïd Maclean to return to Morocco, and, if possible, to be employed by the ex-Sultan, Moulai Abd-el-Aziz, to look after his estates. Kaïd Maclean had written to me privately on the subject, and I forwarded a copy of the reply which I had addressed to him to Sir Charles Hardinge in a private letter dated the 27th February last. As I then told him, I broached the subject very delicately to the French Minister, and he told me the French Government would be very much opposed to Kaïd Maclean's being employed in the capacity which he desired. They had already appointed a man (M. Pimienta, a local man of business, who carries on the correspondence of the "Temps") to the post, and he had given full satisfaction. Moreover, they considered it most undesirable that Moulai Abd-el-Aziz should have attached to him any member of his old entourage, both in his own interests and in the interests of France. I was not in the least surprised at what M. Regnault told me. I told the Kaïd in my letter that I perfectly understood his anxiety to find employment, and that I had always wondered at his great desire to return to Tangier, considering that his life here could only be one of enforced inactivity, which could not be otherwise than galling after the important and active part he had played in the past.

I repeated, however, what both Mr. White and myself had told him previously on more than one occasion, that he must realise that if he came back to Morocco it must be as a purely private person, and that he must cut himself off from all political and official life.

I saw Moulai Abd-el-Aziz yesterday, and mentioned the matter to him. He told me that the Kaïd had said something to him about his desire to be employed by him to look after his affairs, but that he had purposely left the matter absolutely vague, and not engaged himself in any way. He fully understood that the French would not desire any change to be made in the present arrangement. I felt sure that this was the case, as Moulai Abd-el-Aziz is far too sharp not to have recognised at once the objections to employing the Kaïd.

As regards the date at which Kaïd Maclean might return, M. Regnault told me that he thought it most undesirable that he should be in Tangier before the final settlement of all the claims put forward by him, and I share his opinion.

I have, &c.

REGINALD LISTER.

[8568] No. 54.

Mr. Lister to Sir Edward Grey.—(*Received March* 12.)

(No. 38. Confidential.)

Tangier, March 6, 1910.

Sir,

FROM private information which I have received from Fez, I gather that the relations between El Glawi and Aissa Ben Omar continue to be very strained. The former, to all outward appearances, have been the main obstacle to the conclusion of the agreement with the French, having extracted a promise from the Sultan that he would never sign. Aissa Ben Omar seems to have been absolutely excluded from any share in the Sultan's counsels, and it was only quite at the end, when the Sultan got frightened, that he was called in to settle the matter by accepting all the French

demands. He (Aissa) is, I understand, in excellent spirits, and much elated at what he considers a triumph over Glawi.

It is curious to note how completely Glawi's attitude has changed since I saw him in Fez, when he spoke with much common sense of the situation, and deplored the Sultan's anti-foreign and obstructive policy. He may be only consulting his personal interests and seeking to retain the Imperial favour as long as possible, in order to prolong the golden harvest which he is no doubt reaping. His brotber, Hadj Thami, at Marakesh, is playing very much the same game, and I hear that his exactions are on an unparalelled scale. He however is prepared to work for the French, and is now an *associé* of the Union des Mines.

I am also told that Ben Asoos, who, as you recollect, was sent to Berlin to conclude the purchase of some batteries (see my despatch No. 22 of the 9th ultimo), has done the Sultan's cause in Germany a great deal of harm. He is a most unscrupulous rascal, a drunkard, and a paid agent of the Mannesmans, with whose money he makes very free in bribes.

It will be interesting to see how the news of the Sultan's compliance with the French demands will be received in the south. He was proclaimed because he promised to keep the Christians out of the country. It will greatly lower his prestige, and he has completely forfeited the affections of the people by his exactions and those of his officials. They will, moreover, realise that, with the customs gone, the taxes under which they are already groaning will be made even more excessive.

I have, &c.

REGINALD LISTER.

[8569] No. 55.

Mr. Lister to Sir Edward Grey.—(*Received March* 12.)

(No. 39.)

Tangier, March 6, 1910.

Sir,

AS I had the honour to report in my telegram of the 3rd instant, the French column dispatched from Casa Blanca, with the object of apprehending the murderers of Lieutenant Meaux, on penetrating into the Zaer territory came into serious conflict with a large body of tribesmen, who refused to deliver up the guilty persons. A sharp fight took place, resulting in heavy losses on the side of the tribe, who finally fled in disorder. Meanwhile, it is reported that the murderers have escaped further inland into the territory of the Zemmour tribe. It would therefore appear unlikely that they will be brought to justice.

Actuated apparently by the desire to prevent an open conflict between the French and the Zaer tribe, the Governor of Rabat dispatched a force of native troops to Zaer with instructions to do what they could to procure the surrender of the murderers. The tribes, however, refused to listen to advice, and on the arrival of this force adopted a most threatening attitude, and forced the troops to retreat to Rabat.

I have, &c.

REGINALD LISTER.

[7599] No. 56.

Sir Edward Grey to Mr. Lister.

(No. 27.)

Foreign Office, March 12, 1910.

Sir,

I HAVE received your despatch No. 29 of the 25th ultimo in regard to the settlement of foreign claims against the Moorish Government and private persons in Morocco, and I have already signified to you by telegram my general approval of the scheme proposed.

I desire, however, to offer the following observations which have suggested themselves to me as the result of a careful study of the proposals made by the French Minister.

I observe that section 17 of the "note respecting settlement of claims" states, "chaque arbitre recevrait comme honoraires 1 pour cent sur le *montant* de la réclamation formulée." It seemed to me that this provision might in some cases operate somewhat unfairly as against the claimants, should the claim be materially

reduced by the arbitrators, and that a fairer arrangement would have been that the sums finally awarded, and not the sums claimed, should be taken as the basis for calculating the percentage due to the arbitrators, but the concluding words of the section in question—"sans que les honoraires fussent supérieurs à 2,000 fr. ni inférieurs à 50 fr."—may perhaps suffice to provide against any serious injustice to the unsuccessful claimants.

As regards section 18, which provides that the arbitrator's fee will be defrayed by the *partie succombante*, the result of an arbitration will no doubt often be that the arbitrators will on appeal have awarded a sum which, though less than the original claim, is yet in excess of the sum allowed by the Moorish sub-commission. In such cases neither party will be correctly described by the phrase *partie succombante*, and the costs should be divided between them in such proportion as the arbitrators may decide to be just.

Finally, as regards the selection of the arbitrators mentioned in section 10, I observe that M. Regnault is of opinion that it would be best to take no decision until the sub-committees have completed their labours, and it is known how many cases remain to be submitted to arbitration. I concur in this view, but I shall nevertheless be glad to receive from you in due course any suggestions you may be able to make with regard to the selection and appointment, if necessary, of the British arbitrator.

I shall also be glad to learn whom you intend to appoint as delegate of the legation to attend the meetings of the sub-commission, as provided in section 8.

I am, &c.
E. GREY.

[8223] No. 57.

Sir Edward Grey to Mr. Lister.

(No. 28.)
Sir, *Foreign Office, March* 12, 1910.

I HAVE received your despatch No. 35 of the 1st instant, reporting the proposals made by the French Minister at Tangier with a view to enabling claimants who have been awarded indemnities by the Casa Blanca Claims Commission to discount the amounts of such indemnities.

I understand that His Majesty's Government incur no liability through these proposals, and I approve your action in agreeing to them on behalf of His Majesty's Government.

I am, &c.
E. GREY.

[7559] No. 58.

Sir Edward Grey to Mr. Lister.

(No. 30.)
Sir, *Foreign Office, March* 17, 1910.

I TRANSMIT to you herewith, for your information, copies of correspondence between the French and Spanish Governments,* which has been communicated to this Office by the Spanish Ambassador with regard to (*a*) the mining regulations for Morocco now under consideration; (*b*) the question of the employment of Spaniards in certain custom-houses in Morocco in connection with the control of the revenues ceded by the Makhzen as security for the new loan, and I shall be glad to receive any observations which you may desire to make on these papers generally.

At the same time I should like to know the present position as regards the employment of Frenchmen and Spaniards at the custom-houses at the Moorish ports, in which of them the staff is either French or Spanish, and whether the Spanish Government have any grounds for considering that their position in this respect is less favourable than from their treaty rights or from the terms of their secret agreement with the French of October 1904 they have a right to expect.

* Not printed.

You will no doubt communicate to me in due course any information you may be able to obtain in regard to the terms of the recent loan granted to Morocco by France.

I am, &c.
E. GREY.

[9345] No. 59.

Mr. Lister to Sir Edward Grey.—(*Received March* 18.)

(No. 40.)
Sir, *Tangier, March* 10, 1910.

A CONSIDERABLE amount of excitement has been created in the small political circle which surrounds Menebhi at Tangier by letters which Raisuli has received recently from Fez. The first two were from the General Boushta Bagdadi, reproaching him with laziness, incapacity, and lukewarmness in the service of the Sultan, and attributing to his incapacity all the troubles and disturbances which had occurred within his jurisdiction; the third letter was of a very private and confidential character, and was addressed to him by Si Hamed-el-Geai. It warned him that he was in great disfavour at the court, and that the Sultan was convinced that he and Menebhi were intriguing with the French to depose him and replace Abdel Aziz on the throne. Si Hamed Geai added that it was this belief that had induced the Sultan to agree to the French demands, as His Majesty was convinced that the orders sent to the French and other consuls to leave Fez with their colonies, should further difficulties be made, were merely a dodge to get all the Europeans out of Fez, and that, once they were safely away, Abdel Aziz would be proclaimed and restored by the force of French arms.

Raisuli appears to have been furious at Boushta Bagdadi's letters, and to have written direct to the Sultan to the effect that he had hitherto believed that he was in the service of His Majesty, but that if he was to be ordered about by a common soldier he would prefer to resign his post. I am told that the letter was couched in somewhat insolent terms. It has, however, had the desired effect, as the Sultan has answered saying that he values Raisuli's services more than those of any other man in his Empire; that he could never think of accepting his resignation; and that he begged him to stay on. Raisuli has withdrawn his resignation, and the incident has no doubt strengthened his position very considerably. He pretends, however, that he is sick of the Government service, that he is always being called upon to furnish more and more money, and that his one desire is to retire to Tangier or Tetuan and live as a private individual.

The position which he holds as *conseiller indigène* of the Union des Mines would procure him French protection as a semsar of the company the day that he gave up his governorship.

I have, &c.
REGINALD LISTER.

[9348] No. 60.

Mr. Lister to Sir Edward Grey.—(*Received March* 18.)

(No. 43. Confidential.)
Sir, *Tangier, March* 11, 1910.

THE French Minister has for some weeks past spoken to me of his intention to make a short trip into Spain, as neither he nor Madame Regnault had yet visited Seville or Granada. He somewhat suddenly decided to start last Tuesday, and I went to see him on Monday afternoon. He told me that he could not help feeling very anxious as to the intentions of Spain in Morocco. The Commissioner for Foreign Affairs had told him that he had recently had two interviews with the Spanish Minister which had left a distinctly unpleasant impression on his mind. At the first interview M. Merry del Val had said that he must insist on the Spanish language being used as well as the French in all documents and notices connected with tenders. Hitherto translations of all notices, "cahiers des charges," &c., were made at the Spanish consulate and posted up there, but this apparently is no longer sufficient to satisfy the Spanish Government. Two days later M. Merry del Val called again and

said he had come to enlarge his demand, and that he must now insist on all official documents, no matter their nature, being translated into Spanish when published. Cid Guebbas had, as usual, replied that before giving any answer he must refer the matter to the court, and M. Merry del Val, whose tone throughout had been very menacing, told him that if the demands of the Spanish Government were not complied with the consequences would be very serious for the Moorish Government.

M. Regnault said that Cid Guebbas had come to him in a great state of agitation, and is convinced that the Spanish Government intend to make some forward move, probably in the neighbourhood of Ceuta, where they talk of starting work once more on the road to Tetuan. M. Regnault informed me that M. Pichon had spoken to the Spanish Ambassador in Paris on this subject, and had told him that he thought it would be most dangerous to take any such action at the present moment, and that the resumption of work would almost certainly lead to reprisals.

M. Regnault told me that before visiting Granada he proposed to go straight to Madrid, and talk matters over with the French Ambassador there; he also hoped to see Sir Maurice de Bunsen.

I reported the above to you in my telegram No. 18 of the 7th instant, and have since received Sir M. de Bunsen's telegram No. 5 of the following day, and also his despatch No. 23, Confidential. I have no doubt that Sir Maurice's explanation of the Spanish attitude is the correct one, but I think it none the less dangerous, and I fully share the opinion expressed by M. Révoil.

On the 9th March I saw the Commissioner for Foreign Affairs, and he told me that so far the work on the Ceuta road had been confined to that portion which is within the Spanish zone. Should the Spanish workmen cross the frontier, Cid Guebbas said that he was certain they would be attacked by the Anjera tribe, which, as you know, is one of the most fierce and lawless in Morocco. If such an incident were provoked and the Anjera got really excited, a most unpleasant state of affairs would be created, as their district comes to within 2 miles of Tangier, the roads would be cut, and they would no doubt endeavour to revert to their old practices of brigandage with the object of extracting concessions in return for the release of their captives. Cid Guebbas informed me that some time ago the Makhzen had proposed to the Spanish Government to send a Moorish commission to survey and draw up estimates for the construction of necessary roads outside Ceuta, but that the latter had requested that M. Lloréns, the assistant State engineer, who is a Spaniard, should be attached to the commission as expert adviser. This request had been referred to the court at Fez, and no answer had as yet been received.

As I stated in my telegram No. 19 of the 9th March, I cannot help thinking that the Spaniards, notwithstanding the positive assurances given to the French Government, intended last autumn, should a favourable excuse be furnished, to make a forward move from Ceuta, possibly on Tetuan, as M. Révoil suspects. There is no doubt that, as reported by Mr. White in private letters to Mr. Crowe in September and October, consignments of barley much in excess of local requirements, both civil and military, were shipped by private firms to Ceuta from Casa Blanca. The garrison has also, I believe, been very largely increased.

It should also be borne in mind that one of the principal items of the Spanish Minister's programme at Fez was the cession of Gibel Musa (Ape's Hill) to Spain, and recently, in conversation with Mr. Harris, M. Merry del Val said that the Spanish Government had realised that they must abandon the idea of a really forward policy in Morocco, but that they were determined to acquire the heights which commanded their various possessions, and which now with modern artillery held them at their mercy.

The acquisition of the Ape's Hill has, of course, for many years been the object of the Spanish Government, and it is of course possible that the contemplated move from Ceuta may be in that direction.

Cid Guebbas told me that his information from Melilla was to the effect that the Spaniards intended to prosecute their mining operations with redoubled energy.

I have, &c.

REGINALD LISTER.

[9619] No. 61.

Sir E. Goschen to Sir Edward Grey.—(Received March 21.)

(No. 73.)
(Extract.) *Berlin, March 16, 1910.*

AFTER a few more speeches of minor importance had been made the Imperial Chancellor rose to address the House. His Excellency did not on this occasion follow the custom of his predecessors in office and review the whole foreign policy of the Government, but confined himself to answering the points raised during the debate, and to indicating by those answers the general lines of foreign policy which the Imperial Government proposed to follow.

The first question on which he touched was the Mannesmann affair. He said that he had not intended to speak on this subject, as the point of view of the Government had been so fully explained in committee, but that as the speeches of so many speakers in the present debate had shown that misapprehension of the Imperial policy in this matter still existed, he felt it to be his duty to say a few more words on the subject.

The gist of his Excellency's remarks was that the resolution passed by the Diplomatic Corps at Tangier on the 29th August, 1908, was the turning-point of the whole case, and that, as a matter of fact, all other considerations might be set aside. That as on that occasion the Powers had, on the initiative of Germany, agreed through their representatives at Tangier that no mining law should be recognized as such until it had been submitted to the diplomatic body and received its sanction, and as the mining law under which the Mannesmann firm claimed to hold their concession had not fulfilled these requirements, it would be a breach of an international agreement if the Government gave its support to the Mannesmann claims. "To a policy involving such a violation of an international agreement I will never be a party. However great the commercial value of the concessions obtained by the firm of Mannesmann may be, and however much I may personally regret that the firm is deprived of the full realisation of its projects, it is nevertheless my duty to point out that the concessions constitute in no way a question of vital importance for the Empire." In concluding his remarks upon this affair his Excellency stated that as far as it could be done without a breach of international agreements, the Government had assisted, and would continue to assist, Messrs. Mannesmann to the best of their ability, but that the press campaign and the wire-pulling in which the firm had indulged had considerably hampered the efforts of the Government in that direction.

[7559] No. 62.

Foreign Office to Sir H. Cunynghame.

(Confidential.)
Sir, *Foreign Office, March 21, 1910.*

I AM directed by Secretary Sir E. Grey to transmit to you herewith, for your confidential information, in case the questions therein dealt with should be raised when the International Mining Committee reassembles at Paris, copies of certain papers* left at this Office on the 2nd instant by the Spanish Ambassador in regard to the mining regulations for Morocco now under consideration.

These papers, which are copies of correspondence exchanged between the French and Spanish Governments, contain proposals on the part of the Spanish Government—

1. For the creation of special mining bureaux for mines in the districts bordering on Spanish possessions in Morocco.

2. For the appointment of Spaniards, proposed by the Spanish Government, as mining officials in the Spanish sphere of influence. In this connection I am to observe that the Franco-Spanish Agreement of October 1904, referred to by the Spanish Ambassador at Paris, is secret, and that you must be careful to make no allusion to it at the meetings of the committee.

3. The Spanish Government further propose that M. Llorens, the Spanish engineer who is assistant in the Public Works Department in Morocco, should be placed

* Not printed.

on an equal footing as regards mining matters with M. Porché, the French engineer who is head of that department.

I have, &c.
W. LANGLEY.

[10504] No. 63.

Sir Edward Grey to Sir M. de Bunsen.

(No. 29.) *Foreign Office, March* 22, 1910.

Sir,

THE Spanish Ambassador asked me to-day what my opinion was with regard to the German request for the communication to the Mannesmanns of the proposed Moroccan Mining Law. He told me that his Government objected to the communication of the actual text, as they would then be obliged to communicate the text to the representatives of Spanish mining interests also, and these might object to any subsequent changes which might be thought desirable. His Government would, therefore, prefer that a résumé should be drawn up in Paris in such a form that all the Governments could use it for a similar purpose.

I explained to him that I was going to reply to the German Ambassador that we should not object to anything to which the Spanish and French Governments also agreed. But, at the same time, I would tell the German Ambassador what the Spanish Ambassador had said to me.

I am, &c.
E. GREY.

[10504] No. 64.

Sir Edward Grey to Sir E. Goschen.

(No. 68.) *Foreign Office, March* 22, 1910.

Sir,

I TOLD Count Metternich to-day that we should not raise any objection to the proposal of his Government to communicate to the Mannesmanns the draft Moroccan Mining Law, provided that the French and Spanish Governments also agreed.

This was my answer so far as we were concerned; but I also told him, for his information, what the Spanish Ambassador had said to me this afternoon, as recorded in my despatch No. 29 of the 22nd instant, to Sir M. de Bunsen, a copy of which is enclosed.*

Count Metternich said that the object of the German Government was to discuss the matter with Mannesmann before negotiations were resumed at Paris on the 11th April, and there would hardly be time to proceed as the Spanish Ambassador proposed. I said that perhaps the Spanish objections would be met if it was understood that the existing draft was provisional.

I am, &c.
E. GREY.

[10000] No. 65.

Sir E. Goschen to Sir Edward Grey.—(Received March 23.)

(No. 80.) *Berlin, March* 21, 1910.

Sir,

IN the account of the closing days of the debate on the Imperial Foreign Office estimates, contained in my despatch No. 73 of the 16th instant, I had the honour to report the language held by the Imperial Chancellor respecting the claims of the Brothers Mannesmann. You will remember that in his opening remarks his Excellency alluded to the fact that the matter had already been fully discussed before the Budget Commission. Although his Excellency's subsequent remarks placed the point of view of the Imperial Government in a nutshell, it is perhaps as well, for purposes of

* No. 63.

reference, that the statements of Herr von Schoen and Herr Stemrich before the above commission should also be placed on record.

On the estimates for the Imperial Foreign Office coming up for discussion before the Budget Commission of the Reichstag, the proceedings were commenced by the Secretary of State, who made a statement with regard to the Morocco mining question and the claims of the Brothers Mannesmann. The course of the discussion showed that the efforts made in the press and otherwise by the Mannesmanns to influence public opinion on their behalf had not been unsuccessful, the representatives of the National Liberal party in particular showing a strong desire to attack the Government for having been lukewarm in its defence of German interests. The Conservatives and the Social Democrats were agreed in opposing this view.

After defending himself for his action in recently publishing the White Book on the subject, Baron von Schoen proceeded to say that the cause of the whole trouble was that in the defence of their interests the Mannesmanns had adopted a course which the Government could not follow. The aim of the Mannesmanns should have been to secure that the mining law at present under discussion at Paris should take a form which would be favourable to their interests, and they should have come to an agreement on this basis with the other parties interested. Baron von Schoen then touched on some of the political aspects of the question, which could not be settled by agreement with France alone.

The Under-Secretary, Herr Stemrich, then spoke at some length with regard to the reasons which prevented the German Government from accepting the firman of the 7th October, 1908, as constituting a valid mining law in the sense of article 112 of the Algeciras Act. He wound up his speech with the following declaration:—

"We are not in a position to adopt the point of view of the Mannesmann Brothers for the following reasons:—

"1. Because, from the point of view of the law of Morocco, the so-called mining law of the 7th October must be regarded as a document of doubtful validity, and, in any case, not as a general mining law.

"2. Because, even if it were valid according to the law of Morocco, it is in no sense a law such as was provided for by article 112 of the Algeciras Act.

"3. Because, like the other Powers, we are bound by the resolution passed by the diplomatic body at Tangier on the 20th August, 1908, only to recognise as fulfilling this condition a law which has previously been submitted for examination to the diplomatic body.

"4. Because, in the absence of any such mining law, the concession granted to the Mannesmann Brothers has no legal validity."

At a subsequent stage of the proceedings Baron von Schoen declared that he was directed by the Chancellor to declare that the Foreign Office maintained the legal point of view on which its action had hitherto been based. That the more the Germans concerned worked in future hand in hand with the Government, the more effective would be the support and assistance which could be given to their interests.

The Mannesmann Brothers were by no means disposed to accept this as the last word on the subject. A communication from them appeared in the press on the following day, to the effect that the question of giving satisfaction to the German interests involved depended solely on whether the Foreign Office would, yes or no, support the "independence of their concession." The Secretary of State had merely repeated the arguments produced in the White Book—arguments which they, the Mannesmanns, had already refuted; there was no valid legal objection to their concessions, and the only point was, how German interests and their own clear rights were to be protected. They had ample proofs that in the defence of their rights they could count on the support of an extensive circle of the representatives of German industry.

I need hardly stop to point out the unusual nature of the language employed, especially in this country, nor the direct defiance of the Government involved in it. Its immediate result has been to bring Herr von Bethmann-Hollweg into the field, who, as I have already reported, spoke briefly but forcibly on the subject at the plenary sitting of the Reichstag on Thursday, the 17th. In his opinion, he said, the point in the whole matter which was conclusive was the decision of the diplomatic body at Tangier of the 20th August, 1908. The Powers had then and there agreed that they would only regard as a mining law within the meaning of article 112 of the Algeciras Act a law which had been submitted to them previous to promulgation. The law of

the 7th October, 1908, did not fulfil that condition. To accept it would be in direct contradiction with the resolution of the diplomatic body, which was binding on Germany. They had no right to make a one-sided withdrawal from that agreement. To do so would be nothing more nor less than a breach of a treaty obligation. He would not be a party to any such proceeding. Within the limits of their treaty obligations they would do their best to further the interests of the Mannesmanns, but the action of these gentlemen had not hitherto rendered the task any easier, and he urgently desired that in this respect there would be a complete change in the future.

It remains to be seen whether the agitation on behalf of the extreme claims of the Mannesmanns will now be discontinued. In any case the Chancellor seems to have done much to strengthen his own position by this plain and straightforward declaration.

I have, &c.
W. E. GOSCHEN.

[10142] No. 66.

Sir F. Bertie to Sir Edward Grey.—(Received March 24.)

(No. 118.)

Sir, *Paris, March 22, 1910.*

I HAVE the honour to transmit to you, extracted from this evening's "Temps," a summary of the report distributed in the Chamber to-day on the supplementary expenditure for French military operations in Morocco, together with a résumé by the Ministry for Foreign Affairs of the agreement come to between the two countries. It is announced that the detailed text of the arrangement respecting the loan has been settled by an exchange of notes between M. Pichon and El Mokri.

I have, &c.
FRANCIS BERTIE.

Enclosure in No. 66.

Extract from the "Temps" of March 23, 1910.

LA FRANCE ET LE MAROC.

ON a distribué cet après-midi à la Chambre le rapport de M. Paul Doumer sur les crédits supplémentaires concernant les opérations militaires au Maroc. Ces crédits s'élèvent à 1,128,063 fr. Le rapporteur a fait le total des dépenses causées par les opérations françaises au Maroc jusqu'au 31 décembre, 1909. Ce total se décompose ainsi :—

	Fr.
Ministère de la Guerre	58,000,000
Ministère de la Marine	15,500,000
Ministère des Affaires Étrangères	168,000
Total	73,668,000

Ce chiffre englobe les dépenses faites sur la frontière algérienne et celles de la région de Casablanca.

Nos pertes, y compris celles des opérations récentes chez les Zaër, s'élèvent à 177 tués et 605 blessés.

Les effectifs au 15 mars sont les suivants :—

	Officiers.	Hommes.
Région de Casablanca	263	5,647
Région d'Oujda	112	3,711
Région du Haut-Guir	45	1,668
Ensemble	420	11,026

Une note de l'Administration des Affaires Étrangères résume de la façon suivante l'accord intervenu entre la France et le Maroc :—

"1. En ce qui concerne la Châouïa, nous nous sommes inspirés de ce principe qu'il était impossible d'envisager le retrait des troupes françaises tant que l'ordre ne

pourrait pas être assuré par les autorités indigènes. Après avoir établi dans ce pays un état de sécurité et de prospérité jusque-là inconnu, nous avons le droit d'exiger des garanties effectives contre le retour de l'anarchie que risquerait d'entraîner le départ de nos troupes.

"Nous avons obtenu du Makhzen qu'il organiserait une force chérifienne constituée et instruite sous la direction de nos officiers dans des conditions analogues à celles de la police des ports. Cette force sera soldée sur les recettes de la province, et au besoin sur les ressources générales du Trésor chérifien. En attendant qu'elle soit capable de remplir sa mission, c'est-à-dire d'assurer la sécurité des personnes et des biens comme celles des transactions commerciales, nous laisserons dans l'intérieur nos postes et les troupes auxiliaires marocaines que nous avons formées.

"2. Pour Casablanca même, ainsi qu'il a été dit à la Chambre, nous n'avons jamais cessé de considérer cette ville comme territoire marocain, et nous n'avons pas l'intention d'y exercer une occupation définitive. Nous en retirerons nos troupes lorsque nous aurons pu juger que l'organisation prévue pour la Châouïa est en état d'y maintenir l'ordre d'une manière efficace, et lorsque toutes satisfactions nous auront été données par le Makhzen pour le remboursement de nos dépenses militaires.

"3. En ce qui concerne la région frontière, nous avons fait admettre les principes dont la Chambre a reçu communication dans la séance du 23 novembre, à savoir :—

"Réalisation intégrale du régime résultant de l'ensemble de nos arrangements avec le Gouvernement chérifien depuis neuf ans.

"Nomination d'un Haut Commissaire chérifien, investi des pouvoirs nécessaires pour diriger, de concert avec le Haut Commissaire français, l'application des réformes administratives et le développement économique de la région.

"Formation d'une police marocaine instruite et commandée par des cadres français, mise à la disposition des Hauts Commissaires et soldée sur les impôts de la province, destinée à assurer la mise en vigueur de la nouvelle organisation (les troupes françaises pourraient ainsi être réduites progressivement dans la mesure où cette police deviendrait capable de remplir la mission de sécurité que nous avons dû assumer jusqu'ici par nos propres moyens).

"4. Des dispositions spéciales seront prises pour protéger les transactions dans la région du Haut-Guir, par un système d'escortes accompagnant les caravanes, et par l'établissement de relations officielles et régulières entre les autorités des régions limitrophes."

En ce qui concerne la question financière, la situation est la suivante :—

"Les envoyés chérifiens avaient fait connaître que les dettes exigibles du Makhzen s'élevaient à 80,000,000 de francs environ indépendamment de la somme due à la France pour ses dépenses militaires et navales, qui représentent un minimum de 70,000,000 de francs.

"Le chiffre de 80,000,000 paraît être, en fait, une évaluation beaucoup trop faible, et on prévoit déjà que le compte des dettes de cet ordre donnera un total de 90,000,000.

"On a donc envisagé l'émission d'un emprunt destiné au payement de cette dernière somme, emprunt à négocier avec la Banque d'État, et qui serait placé sur le marché français. Les gages comprennent : le solde disponible des douanes ; les droits de portes et de marchés dits 'mostafadet,' dans les ports ouverts ; la redevance de la ferme du tabac et du kif, dont le monopole sera prochainement adjugé ; la portion de la taxe urbaine dans les ports qui revient au Makhzen ; les biens domaniaux.

"L'ensemble de ces revenus sera surveillé par l'Administration actuelle du Contrôle des Douanes, dont les pouvoirs seront fortifiés et étendus.

"La somme due à la France lui sera versée par annuités calculées au taux du crédit de l'État français."

L'accord du 14 janvier avait mentionné simplement le principe de cette entente ; le texte détaillé des clauses vient d'être établi d'après les notes échangées entre le Ministère des Affaires Étrangères et l'Ambassade chérifienne.

Le rapporteur indique ensuite les premiers résultats obtenus par l'attitude énergique du Gouvernement français :—

"Le Sultan nomma un Haut Commissaire cherifien, avec pleins pouvoirs, pour participer à la mise en vigueur du régime défini par les arrangements relatifs à la région frontière. Il adressa de même aux autorités du Sud-Marocain des lettres

désavouant toute connexité d'intérêts avec Ma-el-Aïnin, et prescrivant de réprimer la contrebande des armes. Il donna des instructions formelles pour l'application intégrale de l'article 60 de l'Acte d'Algésiras, qui autorise les acquisitions immobilières des étrangers. Il envoya les pouvoirs nécessaires à El Mokri pour la conclusion définitive de l'emprunt, conformément aux principes déjà admis. Il constitua une commission pour l'apurement des créances étrangères sur le Makhzen, d'après les propositions des légations. Il s'engagea enfin à renvoyer les instructeurs militaires turcs."

Nous pouvons ajouter, d'après les renseignements que nous avons recueillis, que lorsque les instructeurs turcs se sont présentés au Makhzen, la semaine dernière, on les a priés de se retirer.

[10144] No. 67.

Sir F. Bertie to Sir Edward Grey.—(Received March 24.)

(No. 120.) *Paris, March 22, 1910.*

Sir,

M. PICHON informed me to-day that El Mokri, the Moorish envoy, had asked him to approach His Majesty's Government with a view to obtaining permission for him to visit England. El Mokri, he said, was most anxious to be allowed to pay this visit, as he feared that he would lose credit with the Sultan if he returned to Morocco without having carried out His Majesty's orders to proceed to London.

M. Pichon said that the French Government had been most grateful to His Majesty's Government for having refused to receive the Moorish mission so long as France and the Sultan were at issue, but now that the outstanding differences had been settled and agreements on the subject had been signed, they would be glad if the King would consent to receive El Mokri and his colleagues after His Majesty's return to England.

M. Pichon had promised El Mokri to speak to me on the subject.

I have, &c.
FRANCIS BERTIE.

[9513] No. 68.

Sir Edward Grey to Sir M. de Bunsen.

(No. 27.) *Foreign Office, March 24, 1910.*

Sir,

IN continuation of my despatch No. 24 of the 2nd instant, I have to inform your Excellency that the Spanish Ambassador called at the Foreign Office on the 16th instant and referred to the questions of the Customs at Laraiche and the Riff mines.

His Excellency laid no great stress on the first point, which was, he said, being discussed with the French Government at Paris, and all that the Spanish Government wanted was that His Majesty's Government should use their good offices if they had an opportunity and the subject was mentioned by the French.

The question of the mines was, he said, on a different footing. The French were very active in Morocco, and it behoved Spain to show some activity too if she were not to be ousted altogether. The new Mining Regulations were to be administered by the Public Works Department, which had a Frenchman at the head and a Spaniard as his assistant, and it seemed only reasonable that any European appointed to inspect the mines in the Riff, where Spain had special interests, should be a Spaniard.

There was warrant, his Excellency explained, in the Algeciras Act for this view, as by articles 30 and 103 respectively the enforcement of the regulations respecting the illicit sale of arms in the Riff country and the application of the Customs Regulations in that district are entrusted to Spain.

The Spanish Government had no wish, continued Señor de Villa Urrutia, to establish any mining monopoly in the Riff; they were in favour of the open door and free opportunity for all nationalities. Their only desire was that, as in the cases of the customs and arms traffic, so in the case of the mining question the administration of the regulations should be left in the hands of a Spanish official.

When the Mining Commission met again in Paris the Spanish representative

would raise this point, and the Spanish Government hoped the representative of His Majesty's Government would be instructed to support him.

The Spanish contention appears to me to be not unreasonable, and I have caused Sir H. Cunynghame to be so informed.

I also authorise your Excellency, should you be approached on the subject, to state that His Majesty's Government hold this view.

I am, &c.
E. GREY.

[9513] No. 69.

Foreign Office to Sir H. Cunynghame.

(Confidential.) *Foreign Office, March 24, 1910.*

Sir,

WITH reference to the Foreign Office letter of the 21st instant, I am directed by Secretary Sir E. Grey to transmit to you a copy of a despatch which has been addressed to His Majesty's Ambassador at Madrid relative to the Riff mines.*

You will observe that His Majesty's Government do not consider that the desire of the Spanish Government that any European appointed to inspect the mines in the Riff should be a Spaniard is unreasonable, and I am to request that you will bear this in mind if the question is raised at the next meeting of the International Mining Commission.

I am, &c.
W. LANGLEY.

[10282] No. 70.

Mr. Lister to Sir Edward Grey.—(Received March 26.)

(No. 46.) *Tangier, March 19, 1910.*

Sir,

I HAVE received your despatch No. 27 of the 12th instant, in which you make various observations in regard to the proposals made by the French Minister for the settlement of foreign claims against the Moorish Government and private persons in Morocco.

As regards the first observation, I have the honour to state that M. Regnault's reasons for taking the amount claimed as the basis for calculating the sum due to the arbitrators were (1) to prevent exorbitant claims being made; and (2) to obviate any possible temptation for the arbitrators to leave the claims at a higher figure than they ought properly to stand at, and to render any suspicion of their having done so impossible. I think the reasons are well founded, and it appears to me that by fixing a maximum limit for the fees of the arbitrator the possibility for the unsuccessful claimants to suffer any serious injustice will be excluded.

I mentioned your observation with regard to section 18 to M. Regnault, and he fully admits its justice. I am sending him a translation of the paragraph in your despatch which refers to it, and he has promised to propose that in cases such as you foresee the costs should be divided between the two parties in such proportion as the arbitrators may decide to be just.

M. Regnault said that he was very glad that you approved his proposals generally. That was the main thing. It might prove necessary later on to alter certain points of detail, and really it was better to keep a certain latitude.

I propose to appoint Mr. Irwin as delegate of the legation to attend the meetings of the sub-commission, as he is thoroughly acquainted with the majority of the claims. Should he be at any time prevented from attending I should send Mr. Elphick to replace him.

It appears to me difficult to express any opinion at present as to the selection of the British arbitrator, and M. Regnault is of the same opinion with regard to the French. He considers that we must be guided by the results shown by the first month's work of the sub-commission.

I have, &c.
REGINALD LISTER.

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* No. 68.

PUBLIC RECORD OFFICE, LONDON

[10765] No. 71.

Mr. Lister to Sir Edward Grey.—(*Received March* 30.)

(No. 49.)

Tangier, March 23, 1910.

Sir,

MR. HODGSON called this evening and gave me the following information which had been given him by M. Braumschwig, a French banker merchant of Tangier, who has just returned from Paris. M. Braumschwig holds one of the contracts for the coining of Moorish money, and was asked to go to Paris with a view to some arrangement as regards his rights. He, consequently, was in communication with the financial groups interested in Morocco, and his information is probably fairly reliable.

He states that the sum required in actual cash for the settlement of all claims, &c., is, roughly speaking, 90,000,000 fr.; that the nominal amount of bonds to be issued were to be from 100,000,000 to 105,000,000 fr.; that the contract price will be about 87 per cent., and the price of issue to the public, allowing for expenses and stamp duties, will be about 94 per cent. The difference of 7 per cent. is made up as follows: the Banque d'État take 1 per cent., the stamp duties absorb 2 per cent., the expenses to be incurred by the Consortium in connection with the issue are reckoned at 1½ per cent., and they retain 2½ per cent. as their profits.

M. Braumschwig told Mr. Hodgson that in all human probability the issue would take place about the middle of May.

Mr. Hodgson asked me to treat the above information as strictly confidential.

I have, &c.

REGINALD LISTER.

[10853] No. 72.

Sir F. Bertie to Sir Edward Grey.—(*Received March* 31.)

(No. 140.)

Paris, March 30, 1910.

Sir,

WITH reference to my despatch No. 120 of the 22nd instant, I have the honour to inform you that the Political Director of the Ministry for Foreign Affairs called at the embassy this morning to tell me that one of El Mokri's secretaries had been to see him in regard to El Mokri's proposed visit to England. M. Bapst stated that M. Pichon, who has left Paris on a holiday, had instructed him to do what he could to facilitate the reception of the Moorish envoy by His Majesty's Government. Before taking any steps he had wished to see me, as he knew that M. Pichon had spoken to me on the subject. As I was out at the time, Mr. Carnegie, who received M. Bapst, read to him my despatch referred to above to show what action had been taken on M. Pichon's request, and told him that no reply had as yet been received. M. Bapst said that he would instruct the French chargé d'affaires in London to approach you on the subject. M. Bapst stated that he had been informed that El Mokri had full powers to settle the Menebhi and Maclean claims with His Majesty's Government.

I have, &c.

FRANCIS BERTIE.

[11098] No. 73.

Mr. Lister to Sir Edward Grey.—(*Received April* 2.)

(No. 52. Confidential.)

Tangier, March 26, 1910.

Sir,

I HAVE the honour to acknowledge receipt of your despatch No. 30 of the 17th instant, forwarding correspondence between the French and Spanish Governments with regard to: (*a*) the mining regulations for Morocco now under consideration, and (*b*) the question of the employment of Spaniards in certain custom-houses in Morocco in connection with the control of the revenues ceded by the Makhzen as security for

the new loan. You add that you will be glad to receive any observations which I may desire to make on these papers.

You will have seen from my private letter to Sir Charles Hardinge of the 19th instant that I had already had some conversation with the French Minister on the subject. I raised it again when I saw him yesterday, and he showed me the last reply which had been addressed by the French Foreign Office to the Spanish Ambassador in Paris. He specially wanted me to see it, as he considered it remarkable in argument and lucidity. A copy of it is enclosed herein for your information.

I share the opinion that the tracing of two geographical zones to be administered, in the case of mines, solely and entirely by agents of the nationality of the limitrophe State, might well be resented by other Powers, for it would look strangely like an attempt at appropriation; it also appears to me probable that the Makhzen would do all in their power to resist an arrangement by which they would be obliged to ask the permission of the Government of the limitrophe State to name a mining agent. It must also be remembered that in the Riff mining rights are claimed by persons of nationalities other than Spanish, who would be by no means pleased to think that they were to be placed under the sole control of Spanish agents who would sacrifice all other interests to those of their compatriots. I do not consider that the direction of public works by French and Spanish engineers, and the mandate conferred on the two Governments for the suppression of contraband can be brought up as precedents, as both those measures apply to the whole Moorish Empire, and are by no means limited to geographical circumscriptions.

The French, moreover, hold that solidarity is one of the essentials of successful administration, and they consider that if in the mining department three separate bureaux are created, as the Spanish Government desire, a state of hopeless anarchy will result which will render all satisfactory work impossible.

The fact is that the one idea of the Spaniards now is to anticipate the provisions of the secret agreement of October 1904, which are to come into force in the case of the break-up of the Moorish Empire, to accentuate the geographical zones which have been outlined and to absorb everything which comes within the limits of the region allotted to them. The French, on the other hand, consider that all such accentuation of zones is better calculated than anything else to bring about the disintegration of the Moorish Empire, which they specially desire to avoid, and which they consider themselves pledged to resist, by the fact that they signed the Act of Algeciras, the preamble of which lays down, as a fundamental principle, the maintenance of the integrity of the Moorish dominions. This Act, they point out, is subsequent to the secret agreement, and they declare that they intend to abide by it. If at the end of fifteen years the Moorish Empire has, notwithstanding their efforts, fallen into such a state of decomposition as no longer to be able to hold together, then the zone arrangement will come into full force, and Spain and France will take over the exclusive administration of their spheres of influence. Till that comes to pass, however, the French decline to admit that Spain has any right to the sole employment of Spanish agents in any part of the Sultan's dominions.

The incompetence of Spanish agents and officials in this country is proverbial, and they have been selected in almost all cases, not for their qualifications for the posts they occupy, but as political agents to push Spanish interests and fight French influence. It is this incompetence and this tendency to introduce the "nationality" element into all questions, which has made M. Regnault so loth to agree to Spaniards being employed to any large extent in the responsible posts which will be created in connection with the control of the revenues ceded as a guarantee for the new loan. As he says, the foreign banking-houses who have found the money have a right to demand the best guarantee for safe-guarding their interests. This they will hardly ever obtain from a control exercised by Spaniards. Experience in this country has proved that they almost invariably turn out to be incapable or dishonest. A former Spanish consul who had charge of the sums collected for the Spanish war indemnity, embezzled half and was transferred from Tangier to the Cadiz gaol; and quite recently the head police officer here, who was always being held up to us by the Spanish Minister as a paragon, was convicted of driving a flourishing trade in contraband! The case of M. La Fuente, at Laraiche, moreover, shows that where a Spanish official representing a certain group of people takes action in their interests which clashes with Spanish political aims he is at once denounced by the representative of Spain as a traitor.

In 1904, when the arrangements for the control of the customs in the various ports were being made in connection with the service of the loan of that year, two

Spaniards were proposed for the posts of delegates of the representatives of the bondholders, M. Furundarena M. La Fuente, the former was at once selected and appointed at Tetuan. M. Delcassé, however, preferred to wait developments before appointing the latter. In 1905, after the signature of the secret treaty of the 3rd October, 1904, it was decided to give immediate effect to article 2 of that instrument by appointing a second Spanish delegate, and M. La Fuente, whose name had been kept in reserve, was chosen to occupy the post at Laraiche. The Spanish Government, however, instead of being gratified, were much annoyed, as they said the selection should have been left to them.

As you will recollect, by article 2 of the secret treaty, the French Government is only bound "to do its utmost to ensure that in two of the customs posts of the Spanish zone the delegate of the representative of the bondholders of the loan of the 12th July, 1904, should be of Spanish nationality." This is at present the case, and the French Government continue to impress upon their agents in Morocco the necessity to maintain the friendliest relations with the Spanish agents and collaborate with them as far as possible. M. Regnault hopes, moreover, that it may be found possible to give subordinate posts to Spaniards in the new services of control which will be established in connection with the new loan, and as I stated in my private letter, has suggested to the Spanish Minister for Foreign Affairs that the question should be discussed between M. Guiot, the Marquis del Muni, and the French Minister of Finance in Paris. He does not, however, think the French would be justified in sacrificing the interests of the bondholders to the political ambitions of Spain even if they were inclined to do so by appointing Spaniards who were quite unfit for employment. M. Regnault tells me that the qualifications put forward by the Spanish candidates for appointment in the service of Public Works, whose candidature is often backed by the Spanish Minister, are sometimes positively ludicrous. At the present moment there are two Spanish controllers of Customs in Morocco, one at Tetuan and one at Laraiche. Tangier is the only other port within the Spanish zone, and the special character of that town has been recognised by article 9 of the secret agreement. The post is filled by a Frenchman as at the remaining open ports.

I do not consider that the Spanish Government have any grounds for considering that their position in the respects discussed above is less favourable than from their treaty rights or from the terms of their secret agreement with the French they have a right to expect, and there is no doubt that Morocco and the general public would all be the sufferers if Spanish controllers were substituted for the French.

I gather from M. Regnault that by the secret agreement of the 1st September, 1905, which formed the subject of Lord Lansdowne's despatch to Sir F. Bertie, No. 604, Confidential, of the 14th September, 1905, but the full text of which I believe was never communicated to His Majesty's Government, the French Government undertook, if possible, to increase the number of Spanish officials to be employed in connection with the service of the loan, but M. Regnault added that the French Government were always quite determined that their nominations should rest with the "représentant général des porteurs," M. Guiot, otherwise, were nominees of the Spanish Government to be accepted they would merely become political agents. Spanish interests would be favoured at the expense of those of all other nationalities, and the position of affairs at the custom-houses would be worse than it was before the control was established.

I have, &c.
REGINALD LISTER.

Enclosure in No. 73.

M. Pichon to Spanish Ambassador in Paris.

LE Département des Affaires Étrangères a pris connaissance de la note de son Excellence l'Ambassadeur d'Espagne, en date du 4 de ce mois, qui répondait à une communication du 15 janvier relative au projet de règlement minier morocain. Il croit devoir soumettre à l'examen du Gouvernement espagnol les observations suivantes, qui s'inspirent de l'intérêt commun qu'ont les deux Cabinets à ne point paraître réclamer une position privilégiée en matière économique à l'égard des autres Puissances.

Le Gouvernement français persiste à croire, en effet, que l'insertion au projet de

règlement minier des clauses formulées dans la première note de l'Ambassade d'Espagne soulèverait les plus fortes objections de la part des autres pays. La première discussion du règlement a fourni des indications significatives à cet égard; le délégué technique espagnol ayant proposé à plusieurs reprises de consacrer la prédominance de l'influence espagnole dans les questions minières intéressant la région du Riff et de l'influence française dans la région frontière algéro-morocaine, ses suggestions ont été chaque fois écartées. Il n'est pas douteux que la détermination de deux zones géographiques administrées, au point de vue minier, par les seuls agents de la nationalité des deux États limitrophes, serait enterprétée comme une tentative pour faire prévaloir indirectement le principe d'appropriation qui a déjà été repoussée et qu'elle rencontrerait une opposition non seulement de la part des Puissances représentées à la conférence préparatoire de Paris, mais de la part du corps diplomatique à Tanger.

La note de l'ambassade indique, il est vrai, que "la non-prévision par l'Acte d'Algésiras de la collaboration des ingénieurs espagnol et français avec les autorités marocaines, dans les questions minières des régions frontières, ne signifie pas que cette collaboration soit contraire à cet accord international," et on cite à l'appui le rôle attribué aux deux pays depuis Algésiras dans la direction des travaux publics et dans la surveillance de la contrebande des armes. Il ne semble pas que ces deux précédents puissent être exactement invoqués dans le cas présent. Le choix d'ingénieurs français et espagnol pour les travaux publics aussi bien que le mandat conféré à la France et à l'Espagne pour la répression de la contrebande dans les eaux marocaines ont eu le caractère de mesures applicables à tout l'Empire chérifien, et à aucun moment il n'a été question de spécifications géographiques. Il est natural que l'exécution des règlements sur le contrebande prévus par l'Acte de Algésiras aient été réservés dans les régions frontières à une entente des autorités marocaines avec les autorités des deux Puissances limitropes, une entente de ce genre répondant aux bons rapports normaux des États voisins. Il serait certainement plus difficile de faire admettre par les Puissances que l'administration des mines dans les régions frontières exige la même entente particulière et exclusive avec les deux Gouvernements limitrophes.

Quant aux rapports que les notes de l'Ambassade d'Espagne proposent d'établir entre les deux ingénieurs français et espagnol du Service des Travaux Publics, et qui aboutiraient à rendre l'ingénieur-adjoint indépendant en fait et en droit du directeur du service, le Gouvernement français ne croirait pas possible de donner son assentiment à ce système; il estime, en effet, que ce serait supprimer l'unité et l'administration chérifienne établie par l'Acte d'Algésiras et par le firman constitutif de la Direction des Travaux Publics et des Mines. En outre, l'obligation qu'aurait le Makhzen de se mettre d'accord avec une Puissance limitrophe pour désigner un agent minier (d'après la proposition contenue dans la note de l'Ambassade d'Espagne du 23 décembre) serait certainement repoussée par le Gouvernement chérifien au nom de l'Acte d'Algésiras, et il est douteux qu'elle fût approuvée par les Puissances.

Son Excellence l'Ambassadeur d'Espagne indique dans sa dernière note que les propositions actuelles n'ont d'autre but que de garantir la position d'Espagne au Maroc et le caractère prédominant de ses intérêts dans certaines régions de ce pays tel qu'il est reconnu par les accords conclus avec la France. Le Gouvernement de la République n'a jamais cessé de tenir à l'exacte observation de ce double principe, et son programme politique au Maroc comporte tout d'abord le maintien d'une entente loyale avec l'Espagne. Il se refuse à croire que cette entente puisse être compromise par le fait que l'Administration des Travaux Publics, dont le directeur a déjà eu l'occasion de pratiquer des rapports d'entière cordialité avec son adjoint espagnol et de manifester son impartialité et sa correction en toute matière, continuera de fonctionner, dans les mêmes conditions, avec ses nouvelles attributions minières. Le Gouvernement français pense que la situation d'Espagne au Maroc est garantie par la participation de l'élément espagnol à l'administration dont il s'agit—participation qui dès le début a été assurée par l'action commune des deux Gouvernements. Il estime, d'autre part, que la prédominance des intérêts espagnols dans certaines régions sera plus utilement servie par la considération spéciale que le directeur des Travaux Publics a montrée jusqu'ici et qu'il continuera certainement d'avoir pour ces intérêts que par la constitution d'organes administratifs séparés qui soulèveraient les plus fortes objections.

Le Gouvernement français croit avoir donné depuis le début des preuves positives de son désir de rendre efficace et avantageux pour les deux Puissances leur concert dans la réorganisation administrative de l'Empire chérifien. Ses agents au Maroc

connaissent cette disposition permanente de la politique française et s'y sont conformés. Leur collaboration avec les agents espagnols ne pourra se poursuivre utilement que si elle se maintient dans les règles normales, qui sont la condition nécessaire de tout travail administratif.

Paris, le 11 *mars*, 1910.

[11099] No. 74.

Mr. Lister to Sir Edward Grey.—(Received April 2.)

(No. 53. Confidential.)

Tangier, March 27, 1910.

Sir,

AS I had the honour to inform you in my telegram No. 20 of yesterday's date, the French Minister showed me a telegram which he had just received from his Government, stating that at the request of the Moorish Ambassadors in Paris, M. Pichon had asked Sir F. Bertie whether it would not be possible to induce His Majesty's Government to receive the Moorish Mission. M. Regnault was, at the same time, instructed to beg me to support the request.

I told M. Regnault the whole story of the negotiations which took place during last year with regard to the reception of the Moorish Mission, and explained that it was finally rendered impossible by the feelings of horror aroused in England by the barbarous cruelties inflicted after the defeat of the Roghi. I also briefly recapitulated the terms of the *note verbale*, which at the end of the year I addressed to the Makhzen (see my despatch No. 312 of the 31st December), and in which I made it quite clear that had this reason not existed, the attitude of the Sultan was not such as to incline His Majesty's Government to receive a so-called complimentary mission. M. Regnault fully appreciated the justice of the attitude adopted by His Majesty's Government, but suggessed the reception of the mission might be made conditional upon the settlement of any important question or questions pending between the two Governments. Of course, the situation has changed very considerably since the date at which the Makhzen was last informed that it was impossible for His Majesty's Government to fix a date for the reception of the mission. The Sultan has accepted the French demands, and has thereby agreed to the application of article 60 of the Algeciras Act, and to arrangements being made without loss of time for the payment of the claims. Both these points affect British interests very considerably; at the same time, I concur in M. Regnault's view that we might make use of the opportunity as a lever by which to obtain satisfaction on matters which we consider important. Foremost amongst these I would place the question of the restoration of Menebhi's properties. I fear there is little doubt that our prestige has suffered very considerably from our apparent inability to get this matter settled to our satisfaction, and, I may say, that our position *vis-à-vis* to Menebhi is to say the least of it awkward after the assurance given to him by Sir Arthur Nicolson, that "he could be at his ease in regard to his personal safety and as to his property." (See Sir A. Nicolson's despatch No. 76 of the 24th May, 1904.) It was on the strength of this assurance that he returned to Tangier. It was all we could do to prevent him from being thrown into prison, and his properties have remained confiscated notwithstanding the fact that he possesses all the title-deeds, and that, in addition, the ex-Sultan issued a dahir nearly three years ago ordering their restoration to him. As I informed you in my despatch No. 30 of the 27th ultimo the Sultan throws doubt on the date of this dahir, and has now asked to see it. I have had a photograph of it taken, which I have shown with the original to Cid Guebbas. He made no comment, but has had a copy made of it. I am sending up the photograph to Cid Aissa Ben Omar, and Guebbas is to write and say that he has seen the original, and that the photograph is, of course, a facsimile.

Last week Cid Bushaib Dukally, a learned theologian from Mecca, who, for the last six months, has been the constant companion and collaborator with the Sultan in all His Majesty's theological studies and writings, came to Tangier on his return journey to Mecca. He is a very old friend of Menebhi's, and I asked Mr. Irwin to ascertain from him how matters really stood. He believes that the Sultan intends to settle the matter; that Aissa Ben Omar has advised him very strongly to do so, and has pointed out to His Majesty that Menebhi has never given up the title-deeds of the properties, that he holds the ex-Sultan's firman restoring them to him, and that, moreover, the properties are of very little use to the Sultan beyond serving to lodge undesirable

visitors such as Ma-el-Aineen, but that Glawi, whose falseness to Menebhi seems indescribable after all his protestations to me of devotion, is doing all he can to prevent the restoration of the properties. The explanation is, I believe, to be found in the fact that Glawi is, at this moment, all-powerful with the Sultan, and that he dreads above all things that Menebhi, who is a very strong personality, should be restored to favour. His one idea consequently is to poison the Sultan's mind against him. It appears that the Sultan explained the situation to Cid Bushaib, and asked him what he should do: he recognised the strength of the arguments put forward by Cid Aissa, but was particularly anxious not to offend El Glawi.

Bushaib says that he replied by asking His Majesty whether he or Glawi were Sultan; if the former, he advised him strongly to restore the properties, as all the odium of their unjust detention fell upon him, not upon Glawi; if the latter, there was nothing to be said.

I have, &c.
R. LISTER.

[10282] No. 75.

Sir Edward Grey to Mr. Lister.

(No. 39.)

Foreign Office, April 2, 1910.

Sir,

I HAVE received your despatch No. 46 of the 19th ultimo, relative to the French proposals for the settlement of foreign claims against the Moorish Government and private persons in Morocco.

I approve your proposal to appoint Mr. Irwin as delegate of His Majesty's legation to attend the meetings of the sub-commission.

I am, &c.
E. GREY.

[10144] No. 76.

Sir Edward Grey to Sir F. Bertie.

(No. 165.)

Foreign Office, April 4, 1910.

Sir,

I HAVE received your Excellency's despatch No. 120 of the 22nd ultimo, reporting that the Moorish envoy in Paris had requested the assistance of the French Minister for Foreign Affairs in obtaining permission for him to visit England, and that M. Pichon hoped that the King would consent to receive El Mokri and his colleagues.

You will be aware from the correspondence which passed last year between His Majesty's Minister at Tangier and the Foreign Office, that the grounds which actuated His Majesty's Government in refusing to receive a Moorish complimentary mission were twofold. In the *note verbale* which he addressed to Cid Guebbas on the 22nd December, Mr. Lister forcibly and accurately expresses the views held in London. "It is useless," he wrote, "for me to conceal the fact that the impression created in England by the cruelties perpetrated at Fez at the time of the defeat and capture of Buhamara, has been such as to render the reception of a Moorish Mission impossible; and I am to add, by instructions of my Government, that, even had this reason not existed, the attitude which the Makhzen has chosen to adopt towards us, their persistent refusal to comply with any of our requests or just demands, and the unwarrantable attacks made by their officials on the property, rights and interests of British subjects and protected persons throughout Morocco, are not calculated to incline His Majesty's Government to receive a mission." To this expression of opinion His Majesty's Government still adhere.

It is true that the situation in Morocco has been altered by the Sultan having at last yielded to pressure, and signed various agreements. But these agreements are, at present, only on paper; misrule and anarchy continue in Morocco, and British claims have not yet been paid. It is at least probable that the Sultan will maintain his arrogant and obstructive attitude, and will do everything in his power to thwart civilising and reforming influences. In these circumstances, and holding these opinions, His Majesty's Government cannot advise the King to receive a complimentary mission from Morocco.

But even if His Majesty's Government were convinced that the attitude of the

Moorish Government, and the course of public affairs in Morocco would, in future, be all that they could desire, the events which took place at Fez in August last are, in themselves, a sufficient reason for refusing to receive a mission. The atrocious cruelties which were perpetrated on Buhamara and the prisoners, in spite of warnings and protests from the European representatives, created deep indignation in England, and the King could not receive a mission from a Sovereign, who has been guilty of such crimes, without exposing himself and his Government to much hostile criticism, both in Parliament and the press.

His Majesty's Government much regret that they are unable to meet the wishes of the French Government in this matter, but an important principle is at stake, and they are of opinion that the mere fact of Mulai Kafid having accepted the French conditions, not of his own free will, but owing to the inevitable force of circumstances, is not sufficient to justify their departure from the attitude which they adopted after the fullest consideration.

I request that your Excellency will communicate with M. Pichon in the sense of the above.

I am, &c.
E. GREY.

[11749] No. 77.

Sir F. Bertie to Sir Edward Grey.—(Received April 7.)

(No. 148.)
Paris, April 6, 1910.

Sir,

IN accordance with the instructions contained in your despatch No. 160 of the 2nd instant, I asked M. Pichon the day before yesterday whether he could supply me with the text of the notes exchanged between himself and El Mokri. His Excellency thereupon handed me the enclosed document, which, on my return to the embassy, I found to be merely the text of the Loan Agreement, of which a résumé was sent to you by Mr. Lister in his despatch No. 54, Confidential, of the 27th ultimo. I therefore requested Mr. Phipps to enquire of the political director of the Ministry for Foreign Affairs whether I could be supplied with the text of the notes in question for the confidential information of His Majesty's Government. M. Bapst stated that no mention was made in those notes of the right of foreigners to acquire real property in Morocco, that question having been settled by a proclamation of the Sultan, copy of which he promised to forward to me at an early date.

In these circumstances I shall be glad to learn whether you wish to renew my request for the notes.

I have, &c.
FRANCIS BERTIE.

Enclosure in No. 77.

Franco-Moroccan Loan Agreement, signed March 21, 1910.

SA Majesté chérifienne ayant fait appel au concours du Gouvernement français en vue de faciliter le règlement de sa situation financière, les deux Gouvernements se sont mis d'accord par un acte en date du 14 janvier, 1910, correspondant au 3 moharrem, 1328, sur les conditions qui seront appliquées à ce règlement. Ces conditions sont rappelées et précisées dans les articles ci-après :—

ARTICLE 1er.

Les dettes visées ci-dessous à l'article 2 contractées par le Gouvernement marocain antérieurement au 30 juin, 1909, seront liquidées au moyen d'un emprunt d'un montant effectif de 90,000,000 de francs, à 5 pour cent et amortissable en soixante-quinze ans.

Le Gouvernement marocain pourra, après un délai de quinze années à compter du premier remboursement d'obligations amorties rembourser en totalité l'emprunt de 90,000,000 ou en augmenter l'amortissement sous réserve d'en donner avis au moins trois mois à l'avance.

ARTICLE 2.

Les fonds de cet emprunt sont applicables aux paiements ou provisions spécifiés ci-après :—

Indemnités arbitrées par la Commission internationale de Casablanca ; traitements et frais afférents au fonctionnement de la commission ;

Créances de la Banque Mendelssohn et du consortium français ;

Avances de la Banque d'État du Maroc, y compris les avances faites ou à faire au titre de la police ;

Travaux publics exécutés ou en cours d'exécution dans les ports de Tanger, Casablanca, et Safi ; provision pour les travaux projetés du port de Larache, conformément au devis présenté au Maghzen par les concessionnaires ;

Créances ayant fait l'objet antérieurement au 30 juin, 1909, d'arrêtés de comptes acceptés par le Maghzen ou de règlements intervenus entre le Maghzen et les légations ;

Indemnités d'expropriation consécutives à l'établissement du monopole des tabacs ;

Remboursement des emprunts gagés sur les bijoux de la cour chérifienne ;

Provision pour règlement des comptes d'intérêts afférents à certaines créances ;

Provision égale à une demi-annuité de l'emprunt 1910 pour la constitution d'un fonds de réserve en vue de parer aux insuffisances éventuelles du rendement des revenus concédés.

Le reliquat des fonds d'emprunt sera appliqué—

En première ligne, au règlement des créances non reprises dans les rubriques ci-dessus, fondées sur des titres antérieurs au 30 juin, 1909, mais n'ayant pas, à cette date, fait l'objet de règlements de comptes avec le Maghzen ; la liquidation de ces créances sera effectuée suivant une procédure qui sera déterminée ultérieurement ; le solde sera attribué au Maghzen.

ARTICLE 3.

L'emprunt est garanti spécialement et irrévocablement par préférence—

1. Par le produit des droits de douane tant à l'entrée qu'à la sortie de tous les ports de l'Empire existant ou à créer, pour la partie qui ne serait pas nécessaire au service de l'emprunt 1904, à la garantie duquel la totalité du produit des dits droits de douanes a été affectée et sous réserve expresse de tous les droits appartenant aux porteurs de titres de l'emprunt 1904 en vertu du contrat du 12 juin, 1904, qui régit cet emprunt. Cinq pour cent du produit défini au présent paragraphe sont réservés au Maghzen ;

2. Par le produit du monopole des tabacs, kif, et opium ;

3. Par les revenus dits mostafadet et sakkat dans tous les ports, à l'exception des revenus du tabac, du kif et de l'opium qui sont expressément réservés pour la constitution du monopole prévu au paragraphe précédent ;

4. Par les revenus des biens domaniaux dans tous les ports et dans un rayon de 10 kilom. autour de ces ports ;

5. Par la portion revenant au Maghzen dans le produit de la taxe urbaine.

Les produits des revenus portés sous les numéros 1, 3, et 4 seront encaissés dans des conditions qui seront déterminées ci-après et versés au compte du nouvel emprunt sous déduction des frais de gestion.

ARTICLE 4.

Pour rembourser au Gouvernement de la République ses dépenses militaires et navales dont le montant a été arrêté au 31 décembre, 1909, conformément à l'article 9 de l'accord du 14 janvier, 1910, à la somme de 70,000,000 de francs, le Gouvernement marocain s'engage à verser au Trésor français pendant soixante-quinze ans une annuité de 2,740,000 fr. Cette annuité sera servie sur les excédents des revenus affectés à l'emprunt de 90,000,000 de francs, les dits excédents étant dès maintenant affectés par priorité à la garantie de la créance du Gouvernement français. Jusqu'à ce qu'aient été créés des excédents suffisants au paiement intégral de cette annuité de 2,740,000 fr., les excédents seront mis en réserve à la Banque d'État en vue de garantir le paiement régulier des annuités.

Au cas où le Gouvernement marocain désirerait rembourser par anticipation tout

ou partie de sa dette envers le Gouvernement français, des pourparlers seraient engagés entre les deux Gouvernements sur les conditions dans lesquelles s'effectuerait le remboursement.

ARTICLE 5.

Prenant en considération, dans la mesure que comporte la réalisation de l'opération ci-dessus exposée, les désirs qu'a exprimés l'ambassade chérifienne par sa lettre du 25 décembre, 1909, correspondant au 1er hijja, 1327, le Gouvernement français admet que les dépenses de l'administration douanière soient imputées sur les recettes des douanes et que les taxes nouvelles que le Maghzen établirait dans les ports ne soient comprises ni dans les gages de la dite opération financière ni dans le contrôle. Ces taxes nouvelles ne pourront être établies sans l'agrément du délégué français institué par l'article 8. En ce qui concerne les conditions du paiement des annuités lorsque auront été assurés le service de l'emprunt 1904, puis celui du futur emprunt 1910, puis l'annuité afférente aux dépenses militaires françaises, l'excédent pourra être employé au paiement des dépenses se rapportant à la solde de la force que le Maghzen organisera dans la Chaouya tant que ces dépenses seront nécessaires ; le reliquat restera à la seule disposition du Gouvernement chérifien.

ARTICLE 6.

En vue d'éviter de nouveaux retards, il est convenu que dès la signature du présent protocole les envoyés chérifiens engageront avec la Banque d'État du Maroc à Paris des pourparlers pour la conclusion du contrat réglant les conditions de l'émission. Ce contrat devra avoir été signé avant le premier juin 1910.

A partir de cette date l'excédent libre du produit des douanes sera porté d'office par la Banque d'État à un compte nouveau qu'elle ouvrira au service du nouvel emprunt.

ARTICLE 7.

Le Gouvernement marocain a reconnu que l'extension des pouvoirs de la délégation de l'emprunt 1904, était indispensable à la sécurité des porteurs de titres du nouvel emprunt et à la propre sécurité de l'État français en tant que créancier du Maghzen. La délégation de l'emprunt 1904 qui dirige actuellement le contrôle des douanes sera donc également chargée de contrôler l'assiette et la perception tant des droits de douane que des mostafadet et sakkat ; la gestion des biens du domaine sera aussi confiée à un service du domaine relevant de la délégation ; enfin, pour tout ce qui touche la gestion de tous ces revenus, les attributions et les pouvoirs actuels du délégué français seront confirmés et développés ainsi qu'il est dix aux articles ci-après.

ARTICLE 8.

Le délégué des porteurs de titres de l'emprunt 1904, investi par une décision chérifienne à lui notifiée le 4 juillet, 1907, 22 djoumada I, 1325, du contrôle des douanes, est confirmé dans cette mission jusqu'à complet remboursement de l'emprunt de 90,000,000 de francs et exécution intégrale des engagements financiers contractés par le Maghzen à l'égard du Gouvernement français. Il exercera ses attributions de contrôle non seulement au profit des porteurs de l'emprunt 1904, mais aussi dans l'intérêt tant des porteurs de l'emprunt 1910 que de l'État français pris en sa qualité de créancier du Maghzen. Le contrôle sera étendu à la perception des mostafadet et sakkat et à la gestion des biens domaniaux.

Sa Majesté chérifienne étend aux mostafadet, sakkat, et aux biens domaniaux les attributions du délégué du Ministre des Finances chérifien à l'Administration des Douanes.

Le délégué de l'emprunt 1904, et le délégué du Ministre des Finances de Sa Majesté chérifienne prendront la qualification de "délégués au Contrôle de la Dette maghzénienne." Les fonctions de délégué chérifien ne pourront être conférées, maintenues, ou retirées soit au titulaire actuel, soit à ses successeurs, sans le consentement du Gouvernement français.

Le contrôle sera organisé de manière à faire produire aux divers revenus concédés leur rendement maximum. Tous pouvoirs sont donnés par ces présentes aux deux délégués à la Dette pour obtenir ce résultat. Un règlement fixant les conditions de fonctionnement intérieur de l'administration du Contrôle de la Dette sera élaboré

d'accord entre le Ministre des Finances chérifien et le délégué français. Ce règlement aura pour base les principes généraux exposés ci-après, qui ont l'approbation de Sa Majesté chérifienne et auxquels les deux délégués se réfèreront dès maintenant dans la pratique courante de leur gestion.

Il est expressément stipulé que l'administration financière définie par le présent accord demeurera en vigueur jusqu'à complet remboursement de l'emprunt de 90,000,000 de francs et exécution intégrale des engagements financiers contractés par le Maghzen vis-à-vis du Gouvernement français. Au jour où la délégation des porteurs de titres de l'emprunt 1904 viendrait à cesser d'exister, un nouveau délégué, investi des mêmes pouvoirs, sera désigné par le Gouvernement français ; à titre transitoire, le délégué français en fonctions continuera d'assurer le service.

ARTICLE 9.—*Dispositions communes aux Revenus concédés.*

1. *Nominations aux Emplois.*—Les oumana, les adoul et les capitaines de port sont nommés par le Maghzen sur une liste de présentation dressée par le délégué chérifien, conformément aux lettres échangées entre les Ambassadeurs et le Ministre des Affaires Étrangères en date de ce jour ; ils sont révoqués par le Maghzen sur la proposition du dit délégué. Il est pourvu à tous les autres emplois par le délégué chérifien. Les agents du contrôle sont nommés par le délégué français.

2. *Administration.*—Le délégué chérifien prend, d'accord avec le délégué français, toutes les mesures propres à améliorer le fonctionnement des services. Il en rend compte au Ministre des Finances de Sa Majesté chérifienne.

Le personnel administratif des douanes, y compris les capitaineries du port et l'aconage, des mostafadet et sakkat et des douanes, est placé sous l'autorité du délégué chérifien.

3. *Budget.*—Le budget des douanes, des mostafadet et sakkat, et des domaines est établi sur la base du calendrier grégorien et avec la concordance du calendrier arabe, par les soins du délégué chérifien qui en est l'ordonnateur ; il est communiqué, dans le mois qui précède l'ouverture de l'exercice au Ministre des Finances du Gouvernement chérifien et au Gouvernement français. Après la clôture de l'exercice, un compte rendu de la gestion est adressé au Ministre des Finances du Gouvernement chérifien et au Gouvernement français.

En recettes le budget est alimenté par une retenue sur le produit des revenus encaissés et par les taxes d'aconage et de magasinage.

En dépenses le budget supportera en sus des charges propres à ses services celles du contrôle et celles de l'aconage.

4. *Contrôle.*—Tous actes administratifs, décisions, ordres de paiement, et pièces comptables, ordres de service, correspondance de toute nature, quel qu'en soit le destinataire, émanant soit du délégué chérifien, soit de ses subordonnés dans les ports, seront obligatoirement revêtus de la signature du délégué français ou d'un contrôleur. Toute infraction à cette règle sera punie d'une peine disciplinaire et, en cas de récidive, de révocation. La seule signature du délégué français ou du contrôleur en chef dans les ports sera, en cas d'absence ou d'abstention injustifiée des fonctionnaires chérifiens compétents considérée comme suffisante pour donner valeur et authenticité à tous les documents sur lesquels elle serait apposée.

5. L'administration du Contrôle de la Dette maghzénienne est exempte de tous impôts directs ou indirects présents ou à venir.

Elle bénéficiera pour l'exécution de son service de la franchise postale et télégraphique.

6. Toutes les dispositions réglementaires antérieures sont abrogées dans ce qu'elles ont de contraire aux principes ci-dessus exposés.

ARTICLE 10.—*Dispositions spéciales aux Douanes.*

1. Dès que l'accroissement des recettes le permettra, les délégués au Contrôle de la Dette organiseront la surveillance de la contrebande de commerce.

2. Des dispositions réglementaires seront concertées, s'il y a lieu, avec le comité permanent des douanes et le Maghzen en vue d'une plus sévére répression des délits de fraude et de contrebande.

ARTICLE 11.—*Dispositions spéciales aux Mostafadet et Sakkat.*

1. Dans les deux mois de la signature des présentes, l'amin-el-mostefed de chaque port devra avoir remis, par ordre du Maghzen, aux mains des délégués au Contrôle de

la Dette tous les contrats, pièces comptables, et documents de toute nature concernant les mostafadet et sakkat de sa résidence.

2. Les fermiers actuels des mostafadet et sakkat recevront l'ordre de verser à partir de la date du contrat d'emprunt, aux mains des délégués au Contrôle de la Dette, pour le compte du nouvel emprunt, les redevances stipulées à leur contrat.

3. Suivant qu'ils le jugeront avantageux aux intérêts du trésor, les délégués au Contrôle de la Dette maintiendront les fermages ou biens, à l'expiration des fermages en cours, y substitueront le régime de la perception directe.

ARTICLE 12.—*Dispositions spéciales aux Biens domaniaux.*

1. Dans les deux mois de la signature des présentes, le Ministre des Finances de Sa Majesté chérifienne remettra aux délégués au Contrôle de la Dette, un état de tous les immeubles du Maghzen existant dans les ports et dans un rayon de 10 kilom. autour des ports. Dans ce même délai, l'amin-el-mostafed de chaque port, et plus généralement toutes les autorités chérifiennes chargées, à quelque titre que ce soit, de la gestion du domaine, devront avoir, par ordre du Maghzen, remis aux délégués au Contrôle de la Dette tous les contrats et documents de toute nature concernant les immeubles domaniaux dont ils ont l'administration.

Il est bien entendu que les firmans chérifiens authentiques par lesquels Sa Majesté chérifienne aurait, avant la date de la signature du présent accord, concédé la jouissance de certains immeubles domaniaux seront respectés.

2. Les fermiers, locataires, et généralement tous occupants des biens domaniaux, recevront l'ordre de verser, à partir de la date du contrat d'emprunt, aux mains des délégués au Contrôle de la Dette, qui en donneront bonne et valable quittance, les loyers ou redevances stipulés à leur contrat.

3. Jusqu'à l'exécution complète de ses engagements financiers envers les porteurs de l'emprunt nouveau et envers le Gouvernement français, le Maghzen renonce à tout acte de gestion. Il confère par ces présentes aux délégués au Contrôle de la Dette procuration générale et permanente pour procéder à tous actes administratifs, judiciaires ou autres, que comporte ou pourra comporter la gestion des biens domaniaux affectés en gage à l'emprunt. Au cas où le Maghzen voudrait installer dans les villes visées au paragraphe 1er des administrations nouvelles, l'administration du Contrôle de la Dette lui donnerait la préférence pour la location des immeubles nécessaires.

4. En cas d'insuffisance du rendement des revenus concédés et après épuisement des fonds de réserve constitués pour parer à cette insuffisance, les délégués au Contrôle de la Dette pourront, après entente avec le Maghzen, faire vendre à concurrence du montant du déficit, des immeubles domaniaux par voie d'enchères publiques. Si le Maghzen désirait faire vendre un immeuble du domaine, il devrait s'entendre au préalable avec le Contrôle de la Dette.

5. L'administration du Contrôle de la Dette publique marocaine est autorisée à occuper les immeubles domaniaux qui conviendraient à l'installation de ses services. Elle est exempte, pour tous immeubles occupés par elle, de tous impôts présents ou à venir.

ARTICLE 13.—*Dispositions spéciales aux Produits du Monopole des Tabacs et de la Taxe urbaine.*

1. Le fermier du monopole des tabacs versera entre les mains des délégués au Contrôle de la Dette, aux échéances stipulées par son cahier des charges, le produit du fermage affecté en gage du présent emprunt. Les dispositions utiles seront insérées au dit cahier des charges. Si, pour quelque cause que ce soit, le Gouvernement marocain substituait au régime du fermage le régime de l'exploitation par voie de régie, l'administration du Contrôle de la Dette serait chargée par préférence de cette exploitation; une entente interviendrait à ce moment entre le Maghzen et l'administration du Contrôle de la Dette; et si elle renonçait à exercer ce privilège, elle aurait le contrôle de la régie.

2. L'administration de la taxe urbaine dans chaque port versera entre les mains des délégués au Contrôle de la Dette, au fur et à mesure des encaissements, la part de produit revenant au Maghzen, et affectée par lui en gage du présent emprunt. Les instructions nécessaires lui seront données par le Maghzen.

Fait à Paris, le 21 mars, 1910 (9 rabi I, 1328).

[11877] No. 78.

Sir F. Bertie to Sir Edward Grey.—(Received April 8.)

(No. 150.) *Paris, April 7, 1910.*

Sir,

I HAVE the honour to report that at an interview with M. Pichon yesterday I informed his Excellency of the contents of your despatch No. 165 of the 4th instant, setting forth the reasons for which His Majesty's Government are unwilling to advise the King to receive the Moorish mission.

His Excellency said that he would inform El Mokri of this decision, which would certainly be a blow to him. He quite appreciated, however, the grounds on which His Majesty's Government based their refusal.

I have, &c.
FRANCIS BERTIE.

[11996] No. 79.

Mr. Lister to Sir Edward Grey.—(Received April 9.)

(No. 57.) *Tangier, March 31, 1910.*

Sir,

WITH reference to your despatch No. 28 of the 12th instant, I have the honour to inform you that the French Minister is now taking steps to obtain the payment of the French claimants who have been awarded indemnities by the Casa Blanca Claims Commission. He is requesting the Commissioner for Foreign Affairs at Tangier to give the necessary orders that the total sum allowed may be placed at the disposal of the legation for distribution to the claimants, at the same time forwarding a table in which the names of all French citizens and protected persons are enumerated to whom indemnities have been awarded, together with the amount of the indemnity and the date of the sitting of the commission at which it was granted. He is also writing to the director of the State Bank, suggesting that the sum paid in by the Makhzen should remain at the bank, and that a special deposit account should be opened for it, the payments being made by means of charges issued by the legation.

I consider that it would be advisable that communications of a similar nature should be made by me to Cid Guebbas and to the State Bank, but up to the present I have received no sort of official notification of the amount and details of the sums awarded to British subjects by the Casa Blanca Claims Commission, Mr. Thorne never having addressed any communication to this legation on the subject.

I imagine he must have made some report to the Foreign Office of the result of the labours of the commission as regards British subjects, and should be very glad if I might be furnished with a copy of it.

I have, &c.
REGINALD LISTER.

[11992] No. 80.

Sir M. de Bunsen to Sir Edward Grey.—(Received April 9.)

(No. 38. Confidential.) *Madrid, April 4, 1910.*

Sir,

I HAVE given, in my telegram No. 8 of to-day, an outline of the information just received by me from Señor Canalejas, president of the Council of Ministers, with reference to affairs in the Riff country. His Excellency had asked me to fix an hour when he could find me at the embassy. He arrived in a state of considerable agitation. The situation, he said, was becoming very strained between the two mining companies which held vague concessions from the Roghi relating to mines in the Beni-bu-Fruor region behind Melilla. The mining region in question was well within the territory held by the Spanish army of occupation. The rival companies were the Compañía Española de Minas del Riff and the Compañía del Norte de Marruecos. The composition of the former is exclusively Spanish, as will be seen by a reference to my despatch No. 287 of the 27th December last. The latter company,

though Spanish in name, and presided over by Señor Garcia Alix, a Spanish ex-Minister, is otherwise exclusively French. Señor Canalejas states that M. Massenet, who secured the concession from the Roghi, is now the moving spirit of the company at Madrid, and conducts his business in a very high-handed manner. Three Frenchmen representing the company at Melilla have lately made themselves very obnoxious to the Spanish authorities. The company, in short, is taking up an attitude which shows that it regards itself as forming a French wedge driven into the heart of the region occupied by the Spanish troops. General Sotomayor, now in chief command during the absence of General Marina on sick leave, telegraphs that the situation is becoming rapidly intolerable. The Norte Company has lately taken to arming its native workmen, whose numbers are being rapidly increased. Señor Canalejas estimates them at 3,000 or 4,000 already. Emboldened by a sense of their strength, in the face of the unarmed natives employed by the Compañía Española, they encroached on territory hitherto claimed by the latter and erected their tents upon it. General Navarro, commanding the brigade actually stationed on the spot, ordered the tents to be taken down.

Señor Canelejas greatly fears that an armed conflict may be provoked by the Norte Company, in reliance on French support. But he is determined to prevent an outbreak if he can. With this object in view he is endeavouring to bring about a conference in Madrid between the representatives of the two rival companies. He hopes they may meet to-morrow or the next day. The situation will then be fully explained to them and they will be invited to agree to a *modus vivendi* which shall tide over matters till the time when the questions in dispute between them can be submitted to arbitration in the manner that may be determined by the Paris Conference on the Morocco Mining Regulations. The *modus vivendi* would be founded simply on a maintenance of the positions at present *de facto* occupied by the respective companies.

Señor Canalejas is sure he can induce the Compañía Española to fall in with this suggestion, but he is in great doubt as to the good faith of the Norte Company, which he believes desires nothing so much as a collision with its rival. He regards the situation as a highly critical one, for the Spanish occupying force is in no mood to put up with what it would regard as an aggressive movement sanctioned, and perhaps encouraged, by the French Government. Meanwhile he is doing what he can to hold back the Spanish generals. But he cannot go so far as to order them not to resist acts of violent encroachment on ground believed to be within the plot conceded, however irregularly, to the Spanish company by the Roghi.

His Excellency repeated what he had said at our first interview, as reported in my despatch No. 16 of the 19th February last, namely, that, though a semblance of agreement was kept up by the two Governments, there was in Spain a bitter animosity among the people against the French nation. This feeling reached its climax among the troops now holding the occupied region, and if driven to desperation they would fight like demons to hold the ground they had laboriously conquered last year. In such a case, the Spanish Government would be compelled to support them, and Spain was quite capable of putting a formidable force (Señor Canalejas mentioned 100,000 men) in the field. But nobody was more convinced than himself that what Spain wanted was a long period of peace. His hope was to accomplish, during his administration, something that would add to the material prosperity of his country. He was therefore devoting much attention to schemes of irrigation, sanitation, and social reform. All this would come to nothing if Spain had to make another military effort. His influence would therefore be used to the utmost to secure a peaceful settlement.

Señor Canalejas added that the Spanish Government had no desire to exclude anybody from the occupied region. This region was held by Spain, on a tenure as yet undefined, in the same way as France claimed to occupy temporarily certain other regions of Morocco, without detriment io the principle of the integrity of the country which lay at the foundation of all the conventions. Spain put forward no claim to any kind of monopoly within this territory. At the same time she held that, in the absence of any Moorish authority, the demands of the Spanish generals should be treated with the same respect as was exacted by the French military authorities in the regions where they exercised control. The Spanish Government had no desire to lay down the law as to the ultimate delimitation of the mining districts in the occupied territory. This would ultimately be settled by arbitration. For the present it was only a question of keeping the peace during the period that must elapse before the method of arbitration is fixed by agreement between the Powers concerned. Señor

Canalejas thought that this could only be done by both companies loyally accepting the principle of the *de facto status quo*. This was what he was working for, and still hoped to attain. But he did not conceal from me his fears that the French company might render his efforts futile.

His Excellency said that the withdrawal of England from playing a predominant part in Morocco, as a consequence of the 1904 agreement with France, and the effacement of Germany, produced by the Franco-German agreement of February 1909, had left Spain face to face with France, which was gradually edging her out. But Spain did not forget that a main condition of the former agreement was the obligation imposed upon France to come to an understanding with Spain in regard to the interests derived by the latter from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. His Excellency trusted that the interest so effectively shown by England at that time in the maintenance of the Spanish position in northern Morocco was still alive in the minds of His Majesty's Government, and that the latter would assist the Spanish Government in the present difficulty by inviting the French Government to restrain the aggressive action of the Norte Company, which was entirely under French influence, and to fall in with the Spanish Prime Minister's proposals as regards the continuance of the existing situation as between the rival companies until the whole case can be brought to the decision of an accepted court of arbitration.

Señor Canalejas said he was receiving no assistance at present from the French Embassy at Madrid. The Ambassador was away in Paris, as often happened when awkward questions arose between the two countries. M. Martin, the chargé d'affaires, could say very little, beyond advising the Spanish Government to wait for the Ambassador's return. The Marquis del Muni was, of course, instructed to explain matters to the French Government, but Señor Canalejas did not seem to place much reliance on the assistance which his Excellency would be able to render. In these circumstances he thought a word from you, Sir, would carry great weight with the French Government, which would understand, if you thought fit to mention the matter, that His Majesty's Government still took the same view of the relations between Spain and France in Morocco as they did six years ago.

I have, &c.
MAURICE DE BUNSEN.

[12109]

No. 81.

Sir F. Bertie to Sir Edward Grey.—(*Received April* 11.)

(No. 153.)
Sir,

Paris, April 9, 1910.

WITH reference to my despatch No. 148 of the 6th instant, I have the honour to transmit to you, herewith, copy of the instructions addressed by the Sultan of Morocco to El Guebbas respecting the application of article 60 of the Algeciras Act, which has been communicated to me by the Ministry for Foreign Affairs.

It is stated in the memorandum, of which a copy is also enclosed herein, that M. Regnault considered that these instructions were not sufficiently precise and that he has instructed the French consul at Fez to demand that orders should be given to the Moorish authorities to grant full liberty to foreigners to acquire property within a radius of 10 kilom. of the ports, and not to prohibit without just reason such acquisition outside that radius.

I have, &c.
FRANCIS BERTIE.

Enclosure 1 in No. 81.

M. Pichon to Sir F. Bertie.

LE Ministère des Affaires Etrangères a l'honneur d'envoyer, ci-joint, à l'Ambassade d'Angleterre à Paris, suivant le désir qu'elle en a exprimé, la traduction de la lettre chérifienne donnant au représentant du Sultan à Tanger des instructions en vue de l'application de l'article 60 de l'Act d'Algésiras (droit de propriété des étrangers).

Ces instructions ont semblé trop peu précises au Ministre de la République à

Tanger et il a prescrit au consul de France à Fez de demander qu'il fût spécifié aux autorités chérifiennes qu'elles doivent laisser absolument libre l'acquisition des propriétés par les étrangers dans un rayon de 10 kilom. autour des ports, et ne pas interdire sans motif légitime les achats de terrain en dehors de cette zone par les dits étrangers.

M. Regnault a annoté dans ce sens la circulaire du corps diplomatique de Tanger relative à la communication faite par Guebbas sur cette question.

Paris, le 7 avril, 1910.

Enclosure 2 in No. 81.

The Sultan of Morocco to El Guebbas.

(Traduction.)

NOUS vous avons déjà adressé nos ordres chérifiens pour vous faire connaître que vous deviez appliquer l'article 60 de l'Acte d'Algésiras, relatif aux acquisitions immobilières par les étrangers, en définissant les conditions [de ces acquisitions] aux gouverneurs et aux kadis dans les endroits où elles sont autorisées.

En effet, il n'y a pas de raison d'ajourner cette mesure alors que toutes les Puissances font des démarches pour la réclamer, eu égard au droit que leur confère l'accord international.

Nous vous envoyons cette nouvelle lettre pour vous confirmer l'ordre de vous occuper d'urgence de cette question.

Salut !

Le 13 safar, 1328 (*24 février*, 1910).

[12477] No. 82.

Sir Edward Grey to Sir M. de Bunsen.

(No. 38.)

Sir, *Foreign Office, April* 11, 1910.

THE Spanish Ambassador informed me to-day that his Government asked that the Mining Commission in Paris should adjourn till the 10th May. The German Government had expressed themselves willing to agree to this if the other Governments wished it.

I told the Ambassador that I was not aware of any reason why we should offer objection to the adjournment.

The Ambassador also said in the course of conversation that his Government had consented to the communication which the German Government desired to have made to the Mannesmanns. But since then the negotiations between the German Government and the Mannesmanns had been broken off, because the Mannesmanns asked for a promise that a minimum number of concessions should be given to them, and this the German Government had refused.

I am, &c.
E. GREY.

[12478] No. 83.

Sir Edward Grey to Sir M. de Bunsen.

(No. 39.)

Sir, *Foreign Office, April* 11, 1910.

THE Spanish Ambassador called to see me to-day, and dwelt upon the difficulties which Spain experienced with France in Morocco. He told me that there were difficulties with regard to the mining companies, the employment of Spaniards in the Spanish sphere; and even with regard to Casa Blanca, where the Spaniards had a share in the police, which they had not desired, but which had been forced upon them at Algeciras, the French were now reorganising the police in the country districts there without saying a word to Spain about it. All these things made the situation very difficult for Spain. He did not wish to ask me to say anything to the French Government at the present moment; but he wished me to know the difficult position

in which Spain was, in the hope, that if there was a quarrel between France and Spain, we should give support to Spain.

I said that we had already expressed to the French Government our hope that the difficulties between the mining companies would be settled, and my last information was to the effect that the difficulties were on the point of being satisfactorily settled.

With regard to this, the Ambassador observed that he knew that the Spanish Premier was doing his best in every possible way, but he had not yet heard that an arrangement was about to be effected.

As to the other matters, I said to the Ambassador that we were most anxious that things should go smoothly between France and Spain. I would bear in mind his view whenever I had an opportunity of doing anything to help. It seemed to me that these matters were not worth a quarrel, though no doubt they were troublesome to adjust.

I am, &c.
E. GREY.

[12760] No. 84.

Mr. Lister to Sir Edward Grey.—(Received April 15.)

(No. 58.)

Sir, *Tangier, April* 5, 1910.

I HAVE the honour to transmit to you herewith copy of a despatch which I have received from His Majesty's consul at Casa Blanca stating that he has been informed that the agricultural taxes are to be levied this year in the Shawia on all Europeans and protégés. Mr. Madden adds that the French merchants are addressing a protest on the subject to their legation, and asks for my instructions as to whether he should inform British subjects and protégés that they must pay.

On receipt of Mr. Madden's despatch I called upon the French Minister, and both Mr. White and I have had several discussions with him on the subject. We have pointed out to him that a considerable outcry would probably be raised by our merchants at Casa Blanca, whose interests are very large, on account of the disadvantage at which they would be placed *vis-à-vis* to their competitors at neighbouring ports where the tax was not levied. We also expressed our surprise at the imposition of the taxation scheme of 1881 drawn up in execution of the Madrid Convention instead of the "tertib" of 1903, the levy of which when possible was provided for in article 59 of the Act of Algeciras. The arrangement of 1881 had never been brought into operation and appeared to us to have been superseded by the arrangement of 1903.

M. Regnault in reply to our first point stated that the merchants established at Casa Blanca enjoyed all the benefits resulting from the French occupation of the Shawia security of life and property, the execution of their contracts, the improvements in the condition of labour and transport; it was therefore only fair that they should pay rather more than merchants in other districts who had none of these advantages. Moreover, he was of opinion that the tax would fall on the grower rather than on the merchant, as the price of corn would be governed by outside conditions and would not be affected by the tax. We remarked incidentally that this, no doubt, would be the case in civilised countries, where facilities for transport existed, but that in Morocco the price of produce in each district was governed by local conditions. We suggested that the inequality which appeared to us a very serious disadvantage might be overcome if the "tertib" could be imposed throughout the districts over which the Mahkzen exercised its authority and in which very large taxes were at this moment being levied. M. Regnault, however, replied that this would be impossible. He fully recognised the fact that taxes were being levied, but they were taxes of a very different nature, extorted by the kaïds in a large measure for their own benefit in lieu of a salary and to recoup themselves for the large sums they had almost invariably paid for their posts. Were an attempt made to levy the "tertib," the administration would find themselves face to face with the opposition not only of the people but also of the governors.

It was this difficulty which had induced the French military authorities in the Shawia, after consultation with the legation at Tangier, to disregard the "tertib" drawn up in 1903 and to go back to the arrangement of 1881, which was based on the Koranic tithes and taxes, the payment of which was regarded as an article of religion by the Moors.

The flaw in M. Regnault's argument appears to be that if the tax to be levied is the old Koranic tax it cannot by treaty be imposed on foreigners and foreign protected persons, and if it is the arrangement of 1881, it is a question whether it could now be put into execution, as it has never been inforced and has been superseded by the "tertib" of 1903. Moreover, there is no provision in the arrangement of 1881 or in the Madrid Convention, for the imposition of the tax in certain districts only. This is provided for the first time in the Act of Algeciras, when dealing with the question of the "tertib." In these circumstances it appears to me doubtful whether the British consular court could enforce payment of the taxes which it is proposed to levy should British subjects or protected persons refuse to pay them.

M. Regnault told me that in his opinion one of the principal reasons for applying the taxes to foreigners and foreign protégés as soon as possible was to put an end to the wholesale grant of protection which was now going on—a regular traffic by means of which the natives succeeded in invading the tax. Every second Moor, he said, who was called upon to pay, produced a certificate in most cases granted by the Spanish Government, and the situation was becoming impossible. I quite agree with him in deploring the abuses to which the system of protection gives rise, and I consider that it requires reform. Before granting British protection I am always most careful to satisfy myself that the applicant possesses the necessary qualifications, and in several instances I have been obliged to refuse, thereby causing a considerable amount of ill-feeling.

I have, &c.
REGINALD LISTER.

P.S.—M. Regnault was kind enough to give me a copy of the protest which he had received from the French merchants at Casa Blanca referred to above, and I enclose it herein.

R. L.

Enclosure 1 in No. 84.

Consul Madden to Mr. Lister.

(No. 40.)

Casa Blanca, March 24, 1910.

Sir,

THE French consul-general mentioned to me yesterday that the agricultural taxes are to be levied this year in the Shawia on all Europeans and protégés. Last year they were exempted from payment, and this immunity, he said, had led to many abuses, especially on the part of Arabs liable to the taxes, who managed to escape payment by transferring their properties to protégés. Besides, M. Malpertuy added the French must recover their expenses in connection with the Shawia campaign and occupation, and the taxes are only those legally authorised by the regulations dated Tangier, March 30th, 1881, drawn up in execution of the provisions of the Madrid Convention 1880 (see "Hertslett's Treaties," Vol. XV, p. 253).

M. Malpertuy, however, told me that the French colony have already objected to being made to pay the taxes, and have sent up through him a protest to the French Legation at Tangier on the subject.

I have the honour, therefore, to request your Excellency's instructions as to whether I should inform British subjects and protégés that they must pay the taxes.

Last year, according to published figures, the taxes collected by order of the French in the Shawia province were as follows:—

	Fr.
"Khirs" (10 per cent.), tax on growing grain	650,000
"Zekkat" (2½ per cent.), tax on animals	230,000
War tax (4 dollars Hassani per head)	800,000
Total	1,680,000

The money was collected in Moorish Hassani coin, and the above does not, of course, include the ordinary taxes, such as market taxes, gate taxes, and the like.

I have, &c.
A. W. MADDEN.

Enclosure 2 in No. 84.

The "Société pour le Développement du Commerce français au Maroc" to M. Regnault.

[*Non datée.*]

M. le Ministre,

NOUS venons d'apprendre officieusement qu'il a été en principe décidé qu'au cours de l'année présente les impôts coraniques ("achour" et "zekket") seraient perçus dans la Chaouïa non seulement sur les récoltes des indigènes associés agricoles d'Européens, mais encore sur celles des censaux et des Européens aux-mêmes (culture directe).

Nous prenons la liberté, M. le Ministre, de venir vous exposer, en tant que négociants et colons français, tout le tort que cette mesure appliquée à la culture directe va faire à l'expansion coloniale de nos compatriotes dans la Chaouïa.

Vous savez déjà combien a été pénible et entouré d'obstacles de tout genre l'établissement de ceux, sociétés ou particuliers, qui, les premiers, ont voulu s'établir à l'intérieur pour coloniser.

Ce ne peut être au moment où quelques-uns d'entre eux, ayant réussi à acquérir les terrains nécessaires à une exploitation agricole, comptaient parfaire leur installation, que la menace d'impôts très lourds joints aux droits écrasants d'exportation sur les céréales doive venir paralyser leurs efforts et arrêter leur élan.

Déjà à l'heure actuelle le Maroc est, du monde entier, le pays où les droits d'exportation pèsent le plus sur la culture. L'orge, céréale la plus cultivée dans ce pays, subit un droit d'exportation de plus de 3 fr. par 100 kilog. Si à ce droit vient s'ajouter un impôt intérieur de 10 pour cent, soit 1 fr. environ par quintal métrique, c'est par conséquent à 4 fr. de moins qu'en Algérie que le colon installé au Maroc devra vendre son orge.

Et il en est ainsi proportionnellement de toutes les céréales cultivées au Maroc. C'est ce qui explique d'ailleurs les cours aussi bas des grains par rapport à ceux d'Algérie, de Tunisie, et d'Europe.

Au point de vue de l'impôt sur le bétail ("zekkat"), les charges seront toutes aussi fortes. En admettant qu'il faille quatre années pour élever un bœuf d'une valeur de 100 fr., à raison de 3 fr. 30 c. d'impôt, en moyenne par an, le colon éleveur aura déjà payé en impôt 3 pour cent de son capital.

Si on ajoute les 25 pesetas Hassani exigées à l'exportation à Tanger, l'éleveur marocain ne peut donc espérer écouler son bétail en Algérie ou ailleurs qu'en sacrifiant le tiers de la valeur totale du dit bétail.

Par suite la culture qui déjà ne pourrait vivre que péniblement si on réduisait les droits de sortie, ne pourra plus vivre du tout si on y ajoute les impôts coraniques.

Nous pensons, M. le Ministre, que ces chiffres sont assez éloquents, et que lorsque l'on compare le sort réservé aux colons marocains à celui de nos compatriotes d'Algérie exonérés de tous impôts à leur début de colonisation et à ceux de Tunisie, qui, lorsqu'ils emploient les charrues françaises, ne versent que le cinquième des impôts dus par eux, il y a tout lieu de supposer que l'application des impôts projetées éloignera le meilleur de nos éléments de colonisation.

Nous sommes persuadés, M. le Ministre, que vous estimerez qu'il y a lieu de surseoir à l'assiette des impôts coraniques sur la culture directe européenne ou de réduire et même supprimer les droits d'exportation, chose prévue d'ailleurs à l'article 67 de l'Acte d'Algésiras.

LE PRÉSIDENT.

Enclosure 3 in No. 84.

M. Regnault to the "Société pour le Développement du Commerce français au Maroc."

Tanger, le 23 *mars*, 1910.

J'AI pris connaissance de la lettre que vous venez de me transmettre, émanant de la Société pour le Développement du Commerce français au Maroc.

Aux termes de ce document, les signataires témoignent de leur désir de voir surseoir à l'assiette des impôts coraniques sur la culture directe européenne ou réduire et même supprimer, les droits d'exportation.

En ce qui concerne les impôts coraniques qui sont déjà payés par les indigènes, le Gouvernement français ne peut que se conformer aux clauses formelles de la Convention de Madrid et du règlement de 1881, et il lui est impossible d'envisager une dérogation à ces stipulations internationales.

Quant aux droits d'exportation, à mesure que les ressources du Makhzen se développeront il est possible que le Gouvernement chérifien consente à les réduire. Mais pour le moment toute démarche dans ce sens serait vouée à l'insuccès.

Je vous prie de faire valoir ces considérations aux signataires de la lettre dont il s'agit, en leur faisant remarquer que le principe de l'égalité de tous devant l'impôt est une des conditions essentielles pour que les indigènes récemment soumis prennent confiance dans l'esprit de justice qui dicte nos résolutions.

REGNAULT.

[13614] No. 85.

Sir F. Bertie to Sir Edward Grey.—(Received April 21.)

(No. 165.) *Paris, April 18, 1910.*

Sir,

THE Minister for Foreign Affairs having been absent from Paris, I did not have until this morning an opportunity of speaking to his Excellency in the sense desired by your despatch No. 178 of the 11th instant, in regard to the application of a combination of local banks at Tangier to the Morocco State Bank to be allowed to participate to the extent of 5,000,000 fr. in the Morocco Loan. M. Pichon informed me that the French Minister at Tangier had expressed the same opinion as His Majesty's Minister that it would be desirable to accede to the application, and his Excellency said that he concurred in that view and that he would communicate in that sense with the French representatives on the administration of the State Bank, and he hoped that a participation of the local banks might be provided for.

I have, &c.

FRANCIS BERTIE.

[13731] No. 86.

Sir M. de Bunsen to Sir Edward Grey.—(Received April 21.)

(No. 12.) *Madrid, April 21, 1910.*

(Telegraphic.) P.

CEUTA–TETUAN road.

Reported action of delegates on the special "caisse" for public works in Morocco in passing a resolution against the construction of this road has caused much annoyance to the Spanish Government, who consider that the interference of the delegates to prevent this necessary work at the gates of a Spanish possession is as uncalled for as it is unfriendly. Minister for Foreign Affairs informs me that this road has long formed the subject of negotiations with the Makhzen, and is urgently demanded by public opinion in Spain. His Excellency has instructed the Spanish Ambassador in London to approach you on the subject.

I have repeated the above to His Majesty's Minister at Tangier.

[14490] No. 87.

Sir Edward Grey to Mr. Lister.

(No. 9.) *Foreign Office, April 21, 1910.*

(Telegraphic.)

SPANISH Ambassador informs me that his Government complain that the Financial Committee of Public Works decided on the 18th instant, on the motion of the French delegate, seconded by his British colleague, to urge Sultan to wait until all other works in hand had been completed before continuing construction of road from Ceuta to Tetuan. Spanish Government maintain that road is a question which concerns Spain and Morocco alone. I do not know whether this implies that the "caisse spéciale" is not to bear the cost.

Spanish Government suggest that question might be laid before diplomatic body, and that latter might agree to leave it to be settled by Spanish and Moorish Governments, in full confidence that nothing will be done to affect interests of other Powers.

Meanwhile it is stated in a Reuter telegram from Tangier that Moorish Government have agreed to complete road on first possible occasion.

I should be glad to receive a telegraphic report as to the facts, together with any suggestions you may have to offer.

[13879] No. 88.

Mr. Lister to Sir Edward Grey.—(Received April 23.)

(No. 59. Confidential.) *Tangier, April 17, 1910.*

Sir,

IN continuation of my despatch No. 43, Confidential, of the 11th ultimo, I have the honour to report that the French Minister came to see me the other day and told me that the Spanish Minister continued to insist upon the necessity of making the road from Ceuta to Tetuan, and that his tone to the Maghzen was becoming more and more menacing. Guebbas was very anxious, and in order to gain time, had replied that the building of the road was a matter which concerned the Committee of Public Works, and that it must be submitted to them. M. Regnault said that he thought this by far the best plan, and a meeting of the committee has been called for to-morrow morning, previous to the departure of M. Porché, the State engineer, who leaves at noon for France to get married. As I said in my above-mentioned despatch, both the French Minister and the Commissioner for Foreign Affairs hold the opinion that any road making operations, beyond the Spanish zone outside Ceuta, would be fraught with considerable danger, and they consider that everything should be done to delay them. M. Regnault is accordingly very anxious that the Committee of Public Works should not reject the idea of building the road, but that it should undertake to consider the matter, at the same time pointing out that the road between Ceuta and Tetuan is by no means of vital importance, and that as its construction would certainly entail considerable risk, it should not be undertaken until such really urgent works as the road from Tetuan to Martin, the sea port, had been completed. Were the native population to be excited by operations between Ceuta and Tetuan, the construction of the Martin Road, which is really indispensable for the convenience and prosperity of Tetuan, might be indefinitely postponed. It will at the same time be pointed out that Tetuan has already been very largely favoured in the programme of public works, and has nothing to complain of.

The Dutch Minister has instructed his delegate to open the discussion in this sense, and he will be supported by the French delegate, Mr. Rattigan, and the representative of the Maghzen, Ali Zaky Bey.

I think it most desirable in the interests of peace and security to frustrate this design of the Spaniards to start work on the Ceuta–Tetuan road, and am convinced that they are only pressing it in order to provoke an incident and have an excuse to land troops. This is the view of Cid Guebbas, and M. Regnault tells me that he personally is far from reassured as to the intentions of Spain. I saw Cid Guebbas yesterday. He confirmed all that M. Regnault had told me, and was evidently in a state of considerable perturbation.

I have, &c.

R. LISTER.

[13880] No. 89.

Mr. Lister to Sir Edward Grey.—(Received April 23.)

(No. 60.) *Tangier, April 17, 1910.*

Sir,

I ALLUDED once more in conversation with M. Regnault to my doubts as to the legal right of the French authorities to impose the agricultural tax provided for in the arrangement of 1881 on foreign subjects and foreign-protected persons in the Shawia, and to my fear lest the British Consular Court might be enabled to enforce its payment were British subjects to prove recalcitrant (see my despatch No. 58 of the 5th April). M. Regnault said that he would send me a short memorandum which he had caused to be drawn up on the subject, which he felt sure would convince me. I have the honour to enclose it herewith. The arguments appeared plausible, although, as a matter of

fact, the tax was never actually levied, notwithstanding the fact that the arrangement was promulgated. An examination, however, of the archives of the décanat of the years 1881–83, which are still kept at this legation, has shown clearly that our view was the right one, and that the scheme of taxation drawn up in 1881 has lapsed and cannot now be resuscitated and imposed by the French.

When the scheme in question was communicated to the consular officers on the coast, it was pointed out by them that the majority of the taxes provided for had never been levied from the natives. Sir J. Drummond Hay, as doyen of the Corps Diplomatique, then wrote to Mohammed Bargash, at that time Commissioner for Foreign Affairs. He pointed out to him that when the scheme was being drawn up it had been clearly understood that no taxes were to be included which were not already being levied on the Moors. His Excellency had given an assurance that these taxes were being imposed upon Moors, and the representatives of the Powers had accepted his assurance. They were now, however, informed that in many instances this was not the case, and he must request him to return at once to Tangier (he was then at Rabat) and discuss the matter. He was at the same time notified that, if, on examination, the taxes proved to be new, the whole arrangement would be considered to be null and void. Some time elapsed, and when Bargash eventually came to Tangier a commission was appointed, consisting of three members of the Diplomatic Body, to examine the question. Cid Bargash was invited to appoint a delegate on behalf of the Makhzen, but said that he did not consider it necessary, as he had perfect confidence in the commission. The commission drew up a full report, which showed that a great number of the taxes were not those that had been previously levied.

Sir John Hay communicated the report to Cid Bargash, and invited him to meet the foreign representatives and discuss the modifications to be introduced. This was never done, and the arrangement must consequently be considered to be null and void, in accordance with the notification made by Sir John Hay to Bargash.

The various papers from the archives of the décanat have been shown to M. Regnault, who has been obliged to admit that they are unanswerable, and that the French authorities will have to devise some other means of imposing the taxes which they desire to levy. Both Mr. White and I have been most careful to make M. Regnault realise that we did not in any way wish to create difficulties or thwart the action of the French authorities, but that our desire was to save them from taking up a position from which they would almost certainly be obliged to withdraw. M. Regnault fully understood this, and nothing could have been pleasanter than the tone of the discussions which have taken place.

M. Regnault suggested that perhaps the best thing to do now would be to submit a scheme of taxation, drawn up under the Madrid Convention, for the approval of the Powers, and thus to some extent re-enact the arrangement of 1881. It would be possible, he thought, to impose such a scheme on the Moors, whereas the difficulty in the way of enforcing the "tertib" appeared almost insuperable.

I have, &c.
REGINALD LISTER

Enclosure in No. 89.

Memorandum communicated to Mr. Lister by M. Regnault.

EN réclamant aux ressortissants étrangers le paiement de l'impôt agricole, le Makhzen ne fait qu'user d'un droit qui lui a été reconnu par la Convention de Madrid (article 12).

Le règlement du 30 mars, 1881, a eu pour objet d'arrêter les conditions dans lesquelles cet impôt serait perçu. Ses dispositions ont été appliquées, dans leur ensemble, aux Marocains et aux étrangers pendant quelques mois à partir du 28 juillet de la même année. Si, à la faveur de l'anarchie marocaine, ce régime n'eut qu'une durée éphémère, il y a lieu de remarquer que le règlement dont il s'agit n'a été, à aucun moment, abrogé et que, dès lors, il doit conserver son effet tant que la Convention de Madrid, d'où il est issu, restera en vigueur.

Quant au "tertib," il doit être considéré comme une réglementation qui dépassait le cadre de l'article 12 de la Convention de Madrid pour revêtir le caractère d'une véritable réforme générale, basée sur le principe de l'égalité devant l'impôt. Ce caractère ressort tout d'abord du principe en question, qui est en contradiction avec

les dispositions adoptées *ab antiquo* dans le système des impôts coraniques; il ressort également de la création d'un corps spécial d'agents percepteurs, alors que, dans le système précité, ces fonctions rentrent dans les attributions des autorités locales; enfin, il ressort des termes de la lettre circulaire que Torrès adressait le 29 djoumada Ier, 1319 (13 septembre, 1901), aux représentants des Puissances pour leur soumettre le projet de "tertib." Dans tous les cas, c'est bien comme une réforme d'ordre général que le "tertib" a été accueilli par les sujets de l'Empire, d'où son impopularité et la nécessité où s'est trouvé le Makhzen de renoncer même à le promulguer. D'ailleurs, il avait été nettement spécifié au procès-verbal de la réunion du corps diplomatique tenue à l'occasion de la signature de ce document que "les nouveaux impôts ne pourront être appliqués aux étrangers, que lorsqu'il aura été établi que l'application aux sujets du Sultan en est générale dans tout le pays Makhzen." D'autre part, les représentants des Puissances avaient fait savoir au délégué du Sultan qu'avant de donner à leurs consuls respectifs les instructions nécessaires pour la mise en vigueur du "tertib" ils attendaient une notification du Makhzen indiquant qu'il était préparé à appliquer les dispositions dont il s'agit à ses propres nationaux. Cette notification n'ayant pas eu lieu, on est amené à conclure que le "tertib" doit être considéré comme un règlement resté simplement à l'état de projet.

En ce qui concerne l'argument tiré de l'article 59 de l'Acte d'Algésiras, il ne semble pas de nature à infirmer les observations qui précèdent. En effet, en rédigeant l'article en question, les délégués à la conférence ont eu pour unique objet d'envisager le cas où le Makhzen serait en mesure d'édicter l'application générale du "tertib" dans l'Empire. Or, il est incontestable que le Gouvernement marocain rencontrerait actuellement les mêmes difficultés que par le passé devant une réforme de cette importance; d'ailleurs, il vient de donner la mesure de son propre sentiment à cet égard en stipulant, à l'accord de Paris, que l'amende de guerre de la Chaouïa sera perçue suivant la coutume qui régit dans cette province "la perception du 'zekkat' et de l' 'achour.'"

L'action du Gouvernement français se trouve donc limitée, sur ce terrain, par les engagements qu'il a consentis envers le Makhzen et qu'il serait difficile de concilier avec l'adoption d'un système fiscal en dehors de celui des impôts coraniques.

C'est sous l'empire de ces considérations qu'il a semblé préférable d'entreprendre, sur la base du règlement de 1881 la tâche difficile de rétablir, dans une province pacifiée du Maroc, le paiement de l'impôt agricole dans des conditions admissibles à la fois pour les sujets marocains et les ressortissants étrangers. A cet égard, le règlement en question offre le double avantage de respecter les usages locaux, puisqu'il est basé sur le système des impôts coraniques, et d'être strictement conforme à la lettre des traités, puisqu'il découle directement de la Convention de Madrid.

[14283] No. 90.

Sir M. de Bunsen to Sir Edward Grey.—(*Received April* 26.)

(No. 52.) *Madrid, April* 23, 1910.

Sir,

I HAVE the honour to enclose copy of the private letter from the Spanish Minister for Foreign Affairs which forms the subject of my telegram No. 15 of to-day, repeated to Tangier.

It expresses the desire of the Spanish Government for the postponement of the meeting of foreign representatives at Tangier, at which the question of the proposed road from Ceuta to Tetuan will be discussed. The object is to gain time to consult His Majesty's Government with a view to devising a formula for submission to the meeting in question, and so to prevent a premature decision being come to.

I have merely acknowledged the receipt of this letter and informed his Excellency that I have telegraphed its purport to London and Tangier.

I have, &c.
MAURICE DE BUNSEN.

Enclosure in No. 90.

Señor Prieto to Sir M. de Bunsen.

Madrid, le 23 avril, 1910.

Mon cher Ambassadeur,

JE me suis empressé de faire connaître à M. Merry del Val que nous tâchons à cet instant de trouver une formule qui pourrait être soumise au corps diplomatique à Tanger, d'accord avec le Cabinet de Londres, au sujet de la délibération du Comité de la Caisse spéciale du 18. Vous trouverez peut-être utile d'en aviser également Mr. Lister, pour éviter que les représentants des Puissances à Tanger soient appelés prématurément à se prononcer dans l'espèce.

Bien à vous,

M. GARCIA PRIETO.

[14634] No. 91.

Sir F. Bertie to Sir Edward Grey.—(*Received April* 29.)

(No. 176.)

Paris, April 28, 1910.

Sir,

I HAVE the honour to acknowledge the receipt of your telegram No. 60 of the 26th instant. As M. Pichon did not hold his weekly reception yesterday I informed his Excellency by private letter that the Banque de Paris et des Pays-Bas is making difficulties in regard to the issue in London of part of the Moroccan Loan, and I stated that if he still held the views which he had expressed to me on the subject last month (viz., that the loan should be taken up in London, Paris, Berlin, and Madrid), it would be advisable for the bank to cease from opposing the issue in London of part of the loan.

I have, &c.

FRANCIS BERTIE.

[14763] No. 92.

Mr. Lister to Sir Edward Grey.—(*Received April* 30.)

(No. 61.)

Tangier, April 22, 1910.

Sir,

WITH reference to my immediately preceding despatch, I have the honour to transmit to you herewith a further note which the French Minister has communicated to me, which attempts to justify the action of the French authorities in discarding the "tertib" and returning to the scheme of agricultural taxation drawn up in 1881 under the convention of Madrid.

It appears to me that the kernel of the matter lies in the fifth paragraph, which states that a tariff should be drawn up, which would be submitted to and settled by the corps diplomatique.

I have always thought that the French would find it necessary to obtain the consent of the Powers to the levying from foreigners and foreign protected persons of agricultural taxes, but M. Regnault seemed at first to think it was better to proceed to levy them and discuss the matter afterwards.

I have, &c.

REGINALD LISTER.

Enclosure in No. 92.

Note communicated to Mr. Lister by French Minister at Tangier.

EN réclamant aux ressortissants étrangers le paiement de l'impôt agricole le Makhzen ne fait qu'user d'un droit qui lui a été reconnu par la Convention de Madrid (article 12).

Le règlement du 30 mars, 1881, a eu pour objet d'arrêter les conditions dans lesquelles cet impôt sera perçu. Ses dispositions ont été mises en vigueur dans le courant de la même année et, en ce qui nous concerne, les principaux négociants

français de Casablanca ont versé à cette époque le montant de leurs impositions entre les mains de leur consul. Si, devant la protestation unanime des colonies, qui ne pouvaient se faire à l'idée de renoncer au privilège d'exemption dont elles avaient toujours joui, ce régime n'eut qu'une durée éphémère, il y a lieu de remarquer que le règlement en question n'a été à aucun moment abrogé et que dès lors il doit conserver son effet tant que la Convention de Madrid, d'où il est issu, restera en vigueur.

En effet, si l'on se reporte au document qui marque, en quelque sorte, la suspension officielle du régime de 1881 (lettre du doyen du corps diplomatique au naïb du Sultan à Tanger en date du 20 février, 1884), on constate qu'en présence des réclamations de leurs ressortissants les représentants des Puissances avaient alors projeté d'apporter certaines modifications au règlement, et non de l'annuler.

Au surplus pour refuser l'impôt agricole à cette époque les étrangers arguaient du fait que, contrairement à l'article 2 du règlement, les taxes qui leur étaient réclamées n'étaient pas les mêmes que celles payées par les indigènes. Or, aujourd'hui le Makhzen va au-devant de cette objection en proposant d'appliquer aux étrangers les taxes qu'il perçoit depuis l'an dernier sur ses propres sujets en Chaouïa et qui sont sensiblement inférieures à celles de 1881.

Dans ces conditions il semble que la discussion soulevée par l'application du règlement du 30 mars, 1881, doive être circonscrite à une simple question de tarif qui trouverait sa solution devant le corps diplomatique.

Quant au "tertib," il doit être considéré comme une réglementation qui dépassait le cadre de l'article 12 de la Convention de Madrid pour revêter le caractère d'une véritable réforme générale, basée sur une répartition établie d'après les éléments nouveaux. Ce caractère ressort tout d'abord du principe de cette répartition, qui est en contradiction avec les dispositions adoptées *ab antiquo* dans le système des impôts coraniques. Il ressort également de la création d'un corps spécial d'agents percepteurs, alors que dans le système précité ces fonctions rentrent dans les attributions des autorités locales; enfin, il ressort des termes de la lettre circulaire que Torrès adressait le 29 djoumada Ier, 1319 (19 septembre, 1901), aux représentants des Puissances pour leur soumettre le projet du "tertib." Dans tous les cas, c'est bien comme une réforme d'ordre général que le "tertib" a été accueilli par les sujets de l'Empire, d'où son impopularité et la nécessité où s'est trouvé le Makhzen de renoncer même à le promulguer. D'ailleurs, il avait été nettement spécifié au procès-verbal de la réunion du corps diplomatique tenue à l'occasion de la signature de ce document que les "nouveaux impôts ne pourront être appliqués aux étrangers que lorsqu'il aura été établi que l'application aux sujets du Sultan en est générale dans tout le pays Makhzen." D'autre part, les représentants des Puissances avaient fait savoir au délégué du Sultan qu'avant de donner à leurs consuls respectifs les instructions nécessaires pour la mise en vigueur du "tertib" ils attendaient une notification du Makhzen indiquant qu'il était préparé à appliquer les dispositions dont il s'agit à ses propres nationaux. Cette notification n'ayant pas eu lieu, on est amené à conclure que le "tertib" doit être considéré comme un règlement resté simplement à l'état de projet.

En ce qui concerne l'argument tiré de l'article 59 de l'Acte d'Algésiras, il ne semble pas à nature d'infirmer les observations qui précèdent. En effet, en rédigeant l'article en question les délégués à la conférence ont eu pour unique objet d'envisager le cas où le Makhzen serait en mesure d'édicter l'application générale du "tertib" dans l'Empire. Or, il est incontestable que le Gouvernement marocain rencontrerait les mêmes difficultés que par le passé devant une réforme de cette importance; d'ailleurs, il vient de donner la mesure de son propre sentiment à cet égard en stipulant, à l'accord de Paris, que l'amende de guerre imposée à la Chaouïa sera perçue "suivant la coutume qui régit dans cette province la répartition du 'zekkat' et de l''achour.'"

L'action du Gouvernement français se trouve donc limitée sur ce terrain par les engagements qu'il a consentis envers le Makhzen et qu'il serait difficile de concilier avec l'adoption d'un système fiscal autre celui des impôts coraniques.

C'est sous l'empire de ces considérations qu'il a semblé préférable d'entreprendre sur la base du règlement de 1881 la tâche difficile de rétablir dans une province pacifiée du Maroc le paiement de l'impôt agricole dans les conditions admissibles à la fois pour les sujets marocains et les ressortissants étrangers. A cet égard le règlement en question offre le double avantage de respecter les usages locaux, puisqu'il est basé sur le système des impôts coraniques, et d'être conforme à la lettre des traités, puisqu'il découle directement de la Convention de Madrid.

[14512] No. 93.

Mr. Lister to Sir Edward Grey.—(*Received April* 28.)

(No. 62.) *Tangier, April* 22, 1910.

Sir,

WITH reference to my despatch No. 59 of the 17th instant, I have the honour to transmit to you herewith copy of the *procès-verbal* of the meeting of the Committee of Public Works held on the 18th April, when the question of the building of the road from Ceuta to Tetuan was discussed. The resolution has been communicated to the doyen of the corps diplomatique and is now being circulated to the foreign representatives.

I have, &c.
REGINALD LISTER.

Enclosure in No. 93.

Extract from Procès-verbal of Meeting of Public Works Committee held April 18, 1910.

LE président donne ensuite lecture d'une lettre de Si Guebbas dans laquelle celui-ci, d'ordre de Sa Majesté chérifienne, demande au comité d'inscrire dans son programme la construction de la route de Tétouan à Ceuta.

Si Aly Zaky rappelle au comité qu'au moment où le programme des travaux publics avait été discuté le Gouvernement espagnol avait demandé qu'on rayât de ce programme la construction du phare du Cap des Trois Fourches et d'en rapporter les crédits à plusieurs travaux dans la région de Tétouan, notamment à la construction de la route dont aujourd'hui le Makhzen propose l'établissement.

Si Aly Zaky prie le comité de vouloir bien délibérer sur la demande transmise par Si Guebbas. M. Potous demande que cette question soit ajournée jusqu'à la prochaine séance. M. Schuller de Peursum préférerait que la question fût examinée séance tenante et ne voit d'ailleurs pas de raison de la renvoyer. Plusieurs de ses collègues sont de l'avis de M. de Peursum.

M. Potous fait donner lecture par le secrétaire des articles 66 et 103 de l'Acte d'Algésiras et fait remarquer qu'avant toute décision le comité doit chercher à savoir si l'accord prévu à l'article 103 de l'Acte d'Algésiras existe entre le Gouvernement espagnol et le Gouvernement chérifien.

M. Potous ajoute que s'il demande cet ajournement, c'est afin de se mettre au courant de la question avant de la discuter. Or, ayant reçu sa convocation à la réunion la veille à 10 heures du soir il n'a pu prendre aucun renseignement sur cette affaire et il insiste pour que la discussion soit ajournée jusqu'à la prochaine séance.

M. Porché croit qu'il y a eu confusion de la part de M. le consul d'Espagne, car l'accord dont parle l'article 103 est relatif aux travaux à effectuer sur le produit de la taxe spéciale perçue dans les douanes des régions frontières.

Or, ce que demande Sa Majesté chérifienne actuellement c'est d'inscrire la construction de la route en question au programme de la Caisse spéciale, dont les fonds proviennent des douanes des différents ports du Maroc.

Le président propose au comité de décider s'il y a lieu ou non d'accepter la demande du Sultan.

M. Potous déclare s'abstenir de la discussion.

M. de Peursum estime que le programme de la Caisse spéciale a déjà été arrêté par le comité et qu'il a déjà été approuvé par le Makhzen et le corps diplomatique, que ce programme lui paraît constituer dès lors une sorte de loi que le comité n'a pas le pouvoir de modifier.

Plusieurs de ses collègues lui font remarquer que la route en question est cependant d'un grand intérêt qui la recommande à l'examen du comité. Notamment en ceci que le Makhzen, en en demandant la construction, paraît devoir accepter en principe les voies de pénétration dont il avait été toujours jusqu'alors éloigné; qu'il y aurait donc peut-être lieu de ne pas rejeter purement et simplement la demande de Si Guebbas.

M. Porché appuie ces observations et ajoute que, comme chef du Service des Travaux publics, il tient à attirer l'attention du comité sur les précautions que l'on doit prendre pour assurer la sécurité de ses agents lorsqu'ils procéderaient aux études préalables de cette route, dont la dépense s'élèverait d'ailleurs à près d'un million.

Tous les membres du comité sont de cet avis et déclarent ne pas vouloir prendre la responsabilité des incidents qui pourraient survenir en raison des inquiétudes et des conflits que ne manqueraient pas de faire naître des opérations sur le terrain dans une région où les tribus sont particulièrement hostiles.

Après un échange de vues le comité décide de ne pas procéder à l'étude des travaux de la route avant que les autres travaux de la région ne soient terminés. On peut espérer que les indigènes comprendront l'intérêt que peuvent présenter pour eux les travaux publics en voyant exécuter ceux de la route de Tétouan à la mer, et qu'ils ne s'opposeraient plus ensuite à ce qu'on en fît sur leur territoire même. Tout au contraire, un conflit survenu en un point quelconque de cette région pourrait compromettre les travaux de première urgence qui ont déjà été décidés par le comité.

Les membres du comité prient alors le président de rédiger sur-le-champ une résolution qui reproduira les observations précédentes.

En conséquence, le président rédige la résolution suivante et la met aux voix. Elle est adoptée à l'unanimité moins M. Potous, qui déclare s'abstenir.

"Le Comité des Travaux publics, saisi par le Makhzen d'une demande de comprendre dans le programme de la Caisse spéciale la route de Tétouan à Ceuta, décide que le programme arrêté par le comité et approuvé par le corps diplomatique et le Makhzen ne saurait être mis à nouveau en discussion.

"Toutefois, il est disposé à faire étudier la question et il charge l'ingénieur, chef du Service des Travaux publics, de procéder à cette étude.

"Le comité, désireux de dégager sa responsabilité, déclare qu'aucune opération ne saurait s'effectuer sur le terrain sans risquer de faire naître des inquiétudes, des excitations, et des conflits qui pourraient avoir une répercussion fort dangereuse pour la sécurité des agents et ouvriers sur d'autres points où sont exécutés des travaux de première urgence, notamment sur les chantiers des routes à créer entre Tétouan et la mer et aux abords de Tétouan vers Tanger.

"En conséquence, le Comité spéciale appelle l'attention du Makhzen sur la nécessité de n'effectuer aucune étude sur le terrain avant l'achèvement des travaux publics entrepris dans la région."

Il est également décidé qu'on communiquera la résolution qui précède au Makhzen et au corps diplomatique.

[14776] No. 94.

Mr. Lister to Sir Edward Grey.—(*Received April* 29.)

(No. 27.)
(Telegraphic.) P. *Tangier, April* 29, 1910.

MY telegram No. 25.

The following formula, of which I have made a literal translation, has been drawn up by M. Merry del Val on instructions from Madrid :—

"The diplomatic body take note of the decision of the Committee of Public Works dated the 15th instant.

"They understand that the question of that part of the road from Ceuta to Tetuan which lies within the frontier zone of the said Spanish fortress is matter for discussion between Spain and Morocco exclusively, provided that its solution entails no infraction of the Act of Algeciras. After the declaration of the Spanish Minister they have confidence in the prudence with which the Spanish Government will treat this question in the interests of all.

"With regard to that portion of the same road situated in the 'banlieue' of Tetuan, they approve the decision of the Committee of Public Works to put off the construction till later."

The Spanish Minister hopes that this formula will receive the assent of the representatives of the Powers. It has on the whole proved an agreeable surprise to the French Minister, though he agrees with me in thinking that the expression "dans la banlieue de Tétouan" is undesirable. We should both prefer that the words "hors de cette zone" should be substituted for it. We are further both of opinion that a precise definition should be given of the limits of the frontier zone. A telegram in this sense has been dispatched by M. Regnault to his Government.

Zone should be as restricted as possible, in view of the fact that the Anjera tribe extends from Ceuta to Tangier, and that consequently incidents at Ceuta cannot fail to have direct influence upon this district. The Spanish Government have, according to Sir M. de Bunsen's telegram No. 17, already suggested that they should construct the road as far as Castellejos. This limit I consider acceptable, as it would mean a zone of not more than about 2 miles. I cannot help feeling that were the question left vague all manner of pretensions would in the future be inevitably advanced by Spain.

I would be glad if you could furnish me with instructions in time for the meeting of foreign representatives, which is to be held on Monday morning at 10 o'clock.

[14764] No. 95.

Mr. Lister to Sir Edward Grey.—(*Received April* 30.)

(No. 63.) *Tangier, April* 23, 1910.

Sir,

I HAVE the honour to transmit herewith copy of a despatch which I have received from His Majesty's consul at Fez reporting a conversation which he has had with the Sultan, which shows that His Shereefian Majesty still clings to the hope of inducing His Majesty's Government to reconsider their decision and receive a Moorish Mission in London.

I have not as yet received the letter which the Sultan told Mr. MacLeod he was about to write to me, but in the meantime I would state that His Majesty's attitude since he agreed to the French demands has been far from satisfactory. He has not taken any steps to give effect to any one of the promises he then made, he has avoided seeing the French consul on futile pretexts, he hardly ever holds the Court, but spends his time in drinking and marrying wives. The Hajieb moreover seems to occupy exactly the same position as before. He controls all the pay of the soldiers, and Sergeant Balding in a private letter informs me that he has now received no pay for over five months, and that including barley allowance a sum of nearly 1,200 dollars is owing to him.

I have not as yet received any answer to my last note on the subject of Menebhi's properties. El Glawi is reported to be all-powerful at Fez. Aissa Ben Omar has been ill with sub-acute rheumatism, but is now, Dr. Verdon tells me, quite recovered. He does not, however, attend the rare Courts which the Sultan holds, and his work appears to have been gradually taken over by El Glawi.

I have, &c.

REGINALD LISTER.

Enclosure in No. 95.

Consul MacLeod to Mr. Lister.

(No. 16.) *Fez, April* 18, 1910.

Sir,

THE Sultan sent for me this forenoon to come to him at once.

I found His Majesty seated in that Kiosk in the Bu Jelûd Gardens where your Excellency took leave of him last year. With him were the Grand Vizier Glawi and Sid Taib Al Mokhri seated on his right. One of the old women who constantly attend him was seated on his left.

His Majesty seemed out of sorts and depressed in spirits.

He motioned me to a chair opposite him, and with some embarrassment proceeded to say :—

"I understand that your Sovereign was shocked at the punishments inflicted on the Bu Hamara prisoners, and so has not wished to receive the Moorish mission I proposed to send to London. That is so, isn't it?"

I said that was indeed so, and (after such a pause, the Sultan looking to me to go on) that in common with his Government and the public in our country, His Majesty the King had been much shocked by those punishments, and no wonder. It was hundreds of years since such punishments had been inflicted in any civilised country, and even in Morocco they had not been resorted to within living memory.

The Sultan would remember that while those punishments were in progress, I had entreated him to desist from them, and had warned him of the great and lasting injury they would do His Majesty, and the very bad impression of him they would give to the whole civilised world. (I would not myself, of course, have in the matter alluded to His Majesty the King, but the Sultan having expressed himself thus, I had to do the same, as otherwise it would have sounded like dissociating His Majesty the King from the general humane feeling of abhorrence of these punishments.)

The Sultan then remarked (as at the time) that these punishments were according to Moslem law, and expatiated on the conduct the prisoners had been guilty of, and that it was only notable offenders who had been thus severely punished.

I answered that the punishments were indeed within the Moslem law, but that law prescribed also a full trial, and required proofs, full time and opportunities to be afforded for the defence, and the measure of each prisoner's offence to be exactly made out, and the punishment to be in exact conformity therewith. It was atrociously beyond justice to combine the severity of the Moslem law ("Shraa") with the speed and informality of military law.

Both the Sultan and his Ministers seemed rather non-plussed by this, so I added, "The result has been just what I told you all at the time. You caused all Europe to classify—from their point of view—the Sultan and Makhzen, with savage princes and peoples, such as those of Central Africa, as it is now only such savages who inflict such punishments nowadays. The knowledge of this was at the time, and has been ever since, a great sorrow to all persons, who, like myself, live amongst the Moors, and were desirous, before all things, to promote mutual esteem between all the Moors, from the Sultan downwards, and all foreigners."

The Sultan replied, "Well! It can't be helped now. I am very sorry about it all. We have no wish, but the very reverse, to do anything which offends European feeling. Will you inform your Minister of this, and say that I am about to write to him stating that we do not intend ever again to resort to such punishments—prisoners deserving death will be shot—and asking that the mission now proceed to London."

I then bowed, but said nothing. Then, apparently by way of concluding the audience, the Sultan remarked, "Sid Taib Al Mokhri will treat with you in regard to any other matters you may wish to speak about." At this, after the usual compliments, I withdrew.

It will not, of course, be inferred from the foregoing that I suggested—or was understood as suggesting—that Europeans would have approved these punishments if the prisoners had been tried with the slowness and formalities of the "Shraa." I was only understood to be contesting the Sultan's assertion that what he had done was within Moslem law.

I have, &c.

J. M. MACLEOD.

[14765] No. 96.

Mr. Lister to Sir Edward Grey.—(*Received April* 30.)

(No. 64. Confidential.) *Tangier, April* 24, 1910.

Sir,

IN my telegram No. 24 of the 22nd instant I described briefly the situation as it appeared to me with regard to the proposed construction of the road from Ceuta to Tetuan. You will also have received my despatch No. 62 of the same date enclosing an extract from the *procès-verbal* of the meeting of the Committee of Public Works held on the 18th instant, at which it was unanimously resolved (the Spanish consul who represented the Conseil sanitaire alone abstaining) that the matter should be studied by the chief engineer, but that in view of the fact that work on the road would almost certainly give rise to incidents and consequently excite the tribesmen and endanger the lives of the workmen employed on other works of superior importance, such as the road from Tetuan to the sea, the Makhzen should be called upon not to commence any operations on the spot until the public works already undertaken in the region had been completed.

It appears to me indubitable that the construction of the road from Ceuta to

Tetuan is a matter for the Committee of Public Works, and that the Spanish Government have no ground for invoking articles 66 and 103 of the Act of Algeciras. As I stated in my above-mentioned telegram, the Spanish chargé d'affaires in a letter to the acting doyen of the corps diplomatique dated the 29th July, 1909, copy of which is enclosed herewith, stated that he had received the instructions of his Government to accept the programme of public works with certain modifications, one of which was to suppress the building of the lighthouse at Tres Forcas : this work, M. Padilla said, was to be defrayed from the proceeds of the special custom-houses provided for in the last paragraph of article 66, and he proposed that a portion of the sum thus liberated should be devoted amongst other things to the building of a road from Ceuta to Tetuan. The Spanish Government therefore at that moment evidently did not consider the road a work which would come under the heading of frontier works, otherwise they would have wished it to be paid for in the same way as the Tres Forcas lighthouse.

In the first conversation which the French Minister had with the Spanish Minister on the 20th April, the latter asked him to agree to a modification of the *procès-verbal* of the meeting of the Committee of Public Works, and substitute for the third and fourth paragraphs of the resolution the following text :—

"Le comité de la Caisse spéciale s'en remet, quant aux dangers qui pourraient résulter de la construction de la route, à la prudence des deux Gouvernements intéressés (le Makhzen et l'Espagne) dans la certitude qu'ils s'inspireront de leur intérêt et de l'intérêt général."

M. Regnault replied that he did not see how it was possible to modify *procès-verbaux* and completely alter resolutions which had been signed by all the delegates of the committee. For him a resolution of such a nature was definitive, and the one in question had further been communicated to the representatives of the Powers and to the Makhzen. He could not of course say what attitude his Government would take up in the matter, but he must express his personal opinion quite frankly to M. Merry del Val that he would himself never sign such a paper. The danger, in his opinion, was far too great to be dismissed so lightly. Moreover, it appeared to him quite impossible that either the Makhzen or the Spanish Government could guarantee that no incident would take place. If once it did it was impossible for him to say what it might lead to. To this M. Merry del Val replied that he would guarantee that the Spanish Government would do nothing that could disturb the peace "unless," he added, "the outrage were so serious that we could not put up with it." M. Regnault told me that he was almost shocked at the cynical way in which M. Merry del Val made this last remark.

I have now received Sir M. de Bunsen's telegrams Nos. 14 and 15. I cannot help thinking that by now the Spanish Government will have realised that the formula proposed by M. Merry del Val would be rejected, but my fear is that during the time which they take to devise another which may prove acceptable to all concerned, by no means an easy job, an incident may be provoked in the neighbourhood of Ceuta, and we may find ourselves in presence of a *fait accompli*.

The Spanish Minister told the French Minister this morning that he had no instructions from his Government to discuss the matter at all, and that he very likely might not receive them for a week's time !

I have, &c.
REGINALD LISTER.

P.S. *April* 25.—My German colleague dined with me last night, and spoke very seriously of the situation which might be created by the action, or proposed action, of Spain. Germany, he said, had renounced her political interests in Morocco, but her commercial interests remained the same. Her one desire consequently was that the country should now enter upon an era of tranquillity during which commercial prosperity might be restored, and the German merchants, who had suffered cruelly during the last few years, might have an opportunity of repairing their fortunes. The German Government consequently would view most unfavourably any action on the part of the Spanish, or any other Government, which could jeopardise that tranquillity. His personal opinion was that the Spanish Government had undoubtedly intended a forward movement from Ceuta, although he received assurances to the contrary from Berlin. The presence of so large a body of troops at Ceuta (he put it at 14,000 men) was otherwise inexplicable. Had they succeeded in obtaining permission to start work on the road an incident would inevitably have taken place and the troops would a

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[14895] No. 96 A.

Mr. Lister to Sir Edward Grey.—(*Received April* 30.)

(No. 29.) *Tangier, April* 30, 1910.
(Telegraphic.) P.

FOLLOWING sent to Madrid :—

"The meeting of the Corps diplomatique which was to have been held on the 2nd May will not take place, as M. Regnault received a telegram from French Government to-day transmitting text of proposition which their Ambassador at Madrid has been instructed to make to Spanish Government in regard to road between Ceuta and Tetuan.

"It is in no way similar to that which M. Merry del Val laid before us yesterday. Latter has consequently been informed by M. Regnault that he cannot, under the circumstances, discuss formula proposed by him.

"Spanish Minister has telegraphed for explanation to his Government, as he states that he has no knowledge of formula proposed by French Ambassador."

[14896] No. 96 B.

Mr. Lister to Sir Edward Grey.—(*Received May* 1.)

(No. 30.) *Tangier, May* 1, 1910.
(Telegraphic.) P.

FOLLOWING sent to Madrid :—

"It is reported by a confidential Moorish agent, who was sent by French police inspector to Ceuta, that work is being carried forward by Spaniards on Ceuta–Tetuan road, which has, he states, already been carried a mile or so beyond Spanish lines.

"Absolute secrecy is exacted from both Spanish and Moorish workmen, who are threatened with severe punishment should they communicate with any one on the subject."

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once have been ordered to march, probably upon Tetuan. He is strongly of opinion that they are absolutely in the wrong in the matter; he holds that the Comité des Travaux publics was undoubtedly competent and solely competent to construct the road, and that the contention that the matter was one which came under articles 66 and 103 of the Act of Algeciras was quite inadmissible.

He spoke with considerable bitterness of M. Merry del Val, whom he considers responsible for many of the foolish actions of Spain during the last two years. He has, he says, noticed that the successive Spanish Governments have all blundered alike with regard to Morocco, and he has arrived at the conclusion that this can only be explained by the fact that they are misinformed by their representative at Tangier as to the true state of affairs, and often as to the fundamental facts of the cases which they take up.

R. L.

Enclosure in No. 96.

Señor Padilla to Acting Doyen of Diplomatic Body.

Tanger, le 29 *juillet*, 1909.

M. le Ministre et cher Collègue,

J'AI l'honneur de porter à votre connaissance que je viens de recevoir de mon Gouvernement des instructions pour approuver le programme arrêté par le Comité spécial des Travaux publics avec les modifications suivantes :—

Suppression du Phare des Trois Fourches des travaux prévus par le comité ; la construction de ce phare devant se faire avec des sommes perçues dans les bureaux de Douane mentionnées dans le premier paragraphe de l'article 66 de l'Acte d'Algésiras.

La somme de 170,000 fr. votée par le comité pour la construction du Phare des Trois Fourches pourrait se diviser pour satisfaire plusieurs besoins considérés d'urgence, savoir :—

1. 40,000 fr. pour augmenter les 60,000 alloués pour la route de Tétouan à Rio Martin ;
2. 100,000 fr. pour augmenter les 50,000 alloués à la route de Tétouan à Tanger, mais en attribuant ces 100,000 fr. spécialement à la partie de la route jusqu'au fondak, et le reste, c'est-à-dire :
3. 30,000 fr. pour augmenter les 50,000 destinés à l'aménagenent du Port de Rio Martic, où est la construction d'une route de Ceuta à Tétouan.

Je vous prie d'en informer le Corps diplomatique, et je saisis, &c.

A. PADILLA.

[14776] No. 97.

Sir Edward Grey to Mr. Lister.

(No. 10.) *Foreign Office, April* 30, 1910.
(Telegraphic.) P.

CEUTA–TETUAN road. Your telegram No. 27.

I concur in the views held by French Minister and yourself as to desirability of amendments in text of Spanish formula. His Majesty's Government, however, will raise no objection to any text accepted by the French Government.

I request that you will act in concert with M. Regnault.

(Repeated to Madrid.)

[15036] No. 98.

Mr. Lister to Sir Edward Grey.—(*Received May* 2.)

(No. 65.) *Tangier, April* 24, 1910.

Sir,

I HAVE the honour to transmit herewith, copy of a despatch which I have received from His Majesty's consul at Fez, containing information as to the manner in

which Bu Hamara, the late Pretender, met his death on the 8th September of last year.

I have, &c.
REGINALD LISTER.

Enclosure in No. 98.

Consul MacLeod to Mr. Lister.

(No. 17.)

Fez, April 19, 1910.

Sir,

WITH reference to Enclosure No. 1 in my despatch No. 35 of the 22nd September, 1909, to Sir Edward Grey, and to my despatch No. 16 of yesterday to your Excellency, it will be observed that no allusion was made—in my interview of yesterday with the Sultan—to the manner in which Bu Hamara was put to death.

At the time many reports came into circulation as to his having been killed by such torture as being thrown to lions, but nothing authentic could then be learned for certain.

Lately, however, since public interest on this point has subsided, palace guards and others have been speaking more freely, particularly one Kaïd Sûillem, for long one of Kaïd Sir Harry Maclean's retainers, whose position was such that he was in the way of seeing what took place, and who is a trustworthy man.

According to him and others, Bu Hamara was first shot and then stabbed to death by a palace slave—one Kaïd Boho. The body was then pushed into a lion's cage, but the lion did nothing beyond scratching the face. The body was then burned after the head had been shown to the Sultan. Boho, for this service, was promoted to be a Kaïd Er-rha.

The conclusions I have come to are, therefore, that Bu Hamara was put to death, as above described, on Thursday, the 8th September, 1909, during the course of the Powers' protests against the cruel punishments inflicted on certain of his followers.

Apparently the Sultan acted in such wise as to give the Moorish public the impression that Bu Hamara had been executed by horrible tortures, while at the same time leaving himself able to maintain to the Powers, if remonstrance should ever be made, that he had not been put to a lingering death.

Under all these circumstances any allusion by me to the matter during my interview yesterday with the Sultan, would, I thought, most probably only attain the second part of this double purpose, and could serve no useful end in any case.

I have, &c.
J. M. MACLEOD.

[15012]

No. 99.

Sir M. de Bunsen to Sir Edward Grey.—(*Received May* 2.)

(No. 57.)

Madrid, April 28, 1910.

Sir,

IN my telegram No. 12 of the 21st instant, I reported that the Spanish Government were considerably disconcerted by intelligence received from Tangier concerning their Ceuta–Tetuan road project. They had heard that the Public Works Department had taken up an attitude calculated to postpone indefinitely the execution of this work. The details of the proceedings in that department have now been received, but they do not seem to have entirely removed from the minds of the Spanish Government the impression that another rebuff has been administered to Spain. The feeling remains that the Public Works Department is dominated by French influence in the person of M. Porché; that this influence is employed to prevent Spain from raising a little finger outside the walls of Ceuta; that M. Porché has dwelt in exaggerated language on the supposed warlike intentions of the Ceuta garrison, and has succeeded in instilling into the minds of his colleagues the fear that, if the Spaniards were allowed to begin work on their road, the fanaticism of the tribes would be aroused, an "incident" designedly created, and a fresh Spanish expedition set on foot in the manner employed last year at Melilla.

It must be admitted that the Melilla precedent, and the recent proceedings of Spain at and about Ceuta, have afforded some ground for apprehension. The Spanish garrison of Ceuta is said to have been raised from 6,000 men, its strength before the

Melilla campaign, to 17,000. Fresh reinforcements are reported to be on their way. The Spanish press is full of vague allusions to the Tetuan campaign of 1860. The Spanish army is known to be thirsting for further employment. Secret negotiations have been carried on with the Moorish Mission at Madrid with a view to the construction of roads independently of the authority of the Public Works Department. The financial control over a large portion of the Moorish revenues set up by France as security for the Morocco loan is regarded in the Spanish Foreign Office as amounting to an invasion of the legitimate Spanish sphere of influence by French agents. Public opinion, as Señor Garcia Prieto declares, presses for some sign that Spain will not allow herself to be trampled upon.

In these circumstances it is only natural that, notwithstanding repeated denials by Señor Canalejas in the press that any aggressive movement is in contemplation, serious and genuine doubts should be entertained at Tangier respecting the true intentions of Spain. Mr. Lister has had the goodness to repeat to me the telegrams in which he has explained to you the situation as viewed at Tangier. For my part, I have thought it my duty to point out to the Spanish Foreign Minister that his attitude with regard to the Tetuan road is unlikely to secure the support of the representatives of the other Powers at Tangier. I have expressed to him my fear that in challenging the competency of the Public Works Department in respect of roads beyond the Ceuta boundary, Spain was taking up a position not warranted by the terms of article 66 of the General Act of Algeciras having reference to public works. I have put forward the suggestion that she was much more likely to attain her object by a frank exchange of views at Tangier between the Spanish, French, and British Ministers. I have more than once repeated the warning that, as stated in your telegram to me No. 6 of the 12th March, His Majesty's Government would view with concern any movements beyond the limits of the recognised proprietary zone, which might be construed as an infringement of the spirit at least of the Act of Algeciras, and endanger not only Spanish interests, but those of other European Powers throughout an extended area.

M. Révoil, French Ambassador, has shown great activity in resisting the pretensions of Spain. He returned to Madrid about ten days ago from a visit to Paris. He brought back with him the text of a long note from M. Pichon to the Spanish Ambassador. He read it to me a few days later with an emphasis and sense of conviction suggesting the pride of authorship. The note traverses the whole ground of the relations between France and Spain as regards Morocco since the date of the Algeciras Conference. It points out that, in her action at Mar Chica, the Restinga, Melilla, and elsewhere, Spain proceeded without previously securing the concurrence of France, as the terms of her engagements require her to do. On the other hand, France claims to have shown the utmost consideration for the rights of Spain in Morocco. She took the lead in rejecting the appeal of the Makhzen to the Powers against the advance of the Spanish forces at Melilla. She exerted her influence to moderate the demands of M. Massenet in the recent controversy regarding the Riff mining region. At all times she has turned a friendly ear to the legitimate demands of Spain.

Señor Garcia Prieto informed me, in the course of a conversation on the 25th instant, that he is prepared with a full answer to this French indictment of Spanish policy. He seemed to be, however, seriously desirous of retiring with such grace as he could from an untenable position. He told me it had never been intended by the Ceuta authorities to construct a road all the way from Ceuta to Tetuan. The facts, he stated, were as follows:—

Some months ago the Makhzen informed the Spanish Government that they intended making a short road from the Ceuta boundary into the country occupied by the neighbouring tribes near Castillejos. The Spanish Government concurred, but asked that their engineer in the Public Works Department, Señor Llorens, might be associated with the engineer to be selected by the Makhzen to make the necessary surveys. This point was still under discussion when the Makhzen suddenly submitted the question to the Public Works Department, describing the contemplated road as a purely Spanish project, extending the whole way from Ceuta to Tetuan. This was the first time that Tetuan had been mentioned as the ultimate terminus of the road, and it was so mentioned, not by the Spanish Government, but by the Makhzen. Señor Llorens was at this moment engaged on a road ordered by the Public Works Department to be constructed from Tetuan to the coast at Rio Martin. Señor Garcia Pietro thought it was reasonable for the Spanish Government to ask that he should now likewise be employed on the contemplated short road from Ceuta to Castillejos. Spain would expect that this short road, issuing from her own possessions, should be

made by herself, in conjunction with the Makhzen, and independently of the Public Works Department. It also seemed urgent that a branch should be rapidly made, under Señor Llorens' direction, from the Tetuan–Rio Martin road to Melik on the way to Ceuta. Ultimately, and when the Public Works Department saw fit, a junction could be effected under their orders between Melik and Castillejos. Thus the Ceuta–Tetuan road would be completed mainly under the auspices of the Public Works Department.

Señor Garcia Prieto hoped this proposal would not be opposed by England and France. I said I was glad that he was suggesting a compromise, which was always something gained, but that I preferred not to express an opinion on a point which must be settled eventually by the diplomatic representatives at Tangier. He afterwards saw the French Ambassador, who considered the proposal inacceptable, and submitted an alternative one drawn up by himself and expressing recognition by Spain of the competency of the Public Works Department over the whole region outside the actual territory possessed by Spain.

A formula is still being sought by M. Révoil and Señor Garcia Prieto which both Governments could recommend, through their Ministers at Tangier, to the acceptance of the meeting of Heads of Missions by which the road question will be ultimately decided.

The information lately received by M. Révoil from Tangier confirms him in his belief that Spain had set her heart on retaking Tetuan. Amongst other indications pointing to the activity of Spain in the region in question, he informs me that Major Silvestre, Spanish chief of the police at Casablanca, has been exploring, in uniform, the country between Tetuan and Wazan. On this point I can only repeat that I have received renewed assurances from Señor Garcia Pietro that no move will be made. These assurances are confirmed by the Prime Minister's declarations in the press and in conversation with the French Ambassador and myself. It is not admitted here that the present garrison of Ceuta amounts to 17,000 men, as stated in the "Times." No figures have been published, but the French Ambassador is informed privately by Señor Moret, ex-Premier, that the garrison does not exceed 9,000.

From conversations with M. Révoil, I gather that one of the principal objections felt by the French Government to the construction of a road leading from Ceuta into the neighbouring region lies in the apprehension that Spain would use the road, when made, to introduce merchandise into Morocco without the payment of any Moorish customs duty. Goods are alleged to pass in this manner into the Riff and so into the adjoining regions of Morocco from Melilla without encountering any Moorish customs station on their way. The Moorish customs are said to have suffered considerable losses already in consequence of this growing practice, and France is not disposed to encourage arrangements tending to weaken the security on which the new Morocco loan is to be issued.

I have, &c.
M. DE BUNSEN.

[15004] No. 100.

Sir F. Bertie to Sir Edward Grey.—(*Received May* 2.)

(No. 178. Confidential.)
Paris, April 30, 1910.

Sir,

WITH reference to my despatch No. 176 of the 28th instant, I have the honour to report that M. Bapst, the Political Director at the Ministry for Foreign Affairs, called on me to-day to enquire the names of the persons composing the British group of bankers who are ready to take part in the Moroccan Loan. He stated that certain English banks had already participated to the extent of 6,000,000 fr. (240,000*l.*) in the combination of the Banque de Paris et Pays-Bas group. He asked me the names of the English bankers who had stated that the Banque de Paris was making difficulties in regard to an issue in London of part of the loan. I was unable to reply to M. Bapst's enquiry, but I said that evidently they could not be the same persons who had already joined the Banque de Paris combination. In the course of conversation I mentioned the application of some of the local banks at Tangier to the Morocco State Bank to be allowed to participate to the extent of 5,000,000 fr. in the loan, to which M. Pichon was favourable, as reported in my

despatch No. 165 of the 18th instant. I said that His Majesty's Minister at Tangier and his French colleague were in favour of the application being acceded to. M. Bapst replied that, far from this application having been approved in Paris, it had been decided on consideration of the case to instruct M. Regnault to "se tenir tranquille," the Tangier applicants not being considered by the French Government to be persons of any weight or standing; in fact, M. Bapst described them as "des farceurs," and said that they had been "passed on" from Tangier as a diplomatic manner of getting rid of them.

I have, &c.
FRANCIS BERTIE.

[15152] No. 101.

Sir M. de Bunsen to Sir Edward Grey.—(*Received May* 2.)

(No. 19.)
(Telegraphic.) P.
Madrid, May 2, 1910.

CEUTA–TETUAN road.

An agreement was reached, on the 30th April, between the French Ambassador and the Spanish Government, *ad referendum*, on the text of a formula to be submitted to the foreign representatives at Tangier at the next meeting. It allows Spain to construct that portion of the road which lies within the "frontier zone" in concert with the Makhzen. Work, however, is not to be commenced on this road till the construction of roads near Tetuan has shown that such works do not rouse the hostility of the tribes. Proposed text, with one or two trifling alterations suggested by the Spanish Government, should reach Paris to-day.

I have repeated the above to His Majesty's representative at Tangier.

[15533] No. 102.

Sir F. Bertie to Sir Edward Grey.—(*Received May* 6.)

(No. 185.)
Paris, May 5, 1910.

Sir,

I TOLD M. Pichon yesterday that when the Political Director had come to the embassy on the 30th ultimo to enquire the names of the British bankers willing to take part in the Moroccan Loan, and who had stated that the Banque de Paris was making difficulties in regard to an issue in London, I had been surprised to learn from him in the course of conversation that the French Government were not favourable to any participation by some of the local banks at Tangier. I reminded M. Pichon that he had told me (see my despatch No. 165 of the 18th April) that he concurred in the view expressed by the French and British Ministers at Tangier that it would be desirable to accede to the application from the local banks, and that he would communicate in that sense with the French representative on the administration of the State Bank of Morocco. M. Bapst had informed me that the application had not been favourably viewed by the French Government, and it had been decided to instruct M. Regnault to "se tenir tranquille." I did not tell M. Pichon that M. Bapst had described the local bankers in question as "des farceurs," nor that he had said that their application had been passed on from Tangier by the French and British Ministers as a diplomatic manner of getting rid of them.

M. Pichon stated that M. Bapst, who was on leave of absence when the question came up for consideration, must have misunderstood or overlooked the dossier if he saw it on his return. The instructions to M. Regnault were that the French Government were favourable to the request of the Tangier bankers, but it was a matter for consideration by the State Bank of Morocco, and that he was not to take any further action in the matter at Tangier. When the application came before the administration of the bank for consideration it would be supported by the French representative. M. Pichon then sent for M. Conti, one of the sous-directeurs politiques, who, his Excellency stated, had had charge of the business, but as he was not then at the office he said that he would send him to the embassy this morning to give me full explanations of what had been done both with regard to the participation of the English banks and of the local banks at Tangier. It was not, however, M. Conti who came but M. Guiot, a Minister plenipotentiary, who is the French administrateur on the board of the State

Bank of Morocco. He said that he had received a letter from the Ministry for Foreign Affairs desiring him to give me any explanations or information that I might wish to have. As the letter did not state the particular subject on which he was to furnish information beyond that it was the Morocco Loan which M. Pichon referred to when giving instructions for the writing of the letter M. Guiot had called at the Ministry for Foreign Affairs this morning, but his Excellency had left Paris for the Jura, and there was no one at that department who could tell him anything more than what the letter said, and he asked me what were the points on which I wished to have information or explanations.

I need not report the questions which I put to M. Guiot in conversation. The answers which he made, and which I have now the honour to report to you, show how the two cases stand.

With regard to the participation of English banks in the loan, M. Guiot's explanations are that the Banque de Paris et des Pays-Bas is bound by an agreement with Sir Ernest Cassel, made some years ago, to allow to him a 6 per cent. participation in any financial business done by that bank. The loan of, say, 100,000,000 fr. has the following guarantees, viz. :—

	Per cent.
Morocco State Bank	22½
German banks	20
Spanish banks	10
French banks, inclusive of 6 per cent. for the English banks *alias* Sir E. Cassel	47½
Total	100

The participation is to be as follows :—

	Per cent.
German banks	20
Spanish banks	10
Morocco State Bank	4
French consortium, inclusive of 6 per cent. on the share of the Banque de Paris, viz., 6,000,000, or 240,000*l.*, for Sir E. Cassel	66
Total	100

Sir Ernest Cassel's share of 6,000,000 fr., or 240,000*l.*, is considered to be the English participation.

I pointed out to M. Guiot that Sir Ernest Cassel's participation in accordance with the private agreement of some years' standing with the Banque de Paris could not be a participation of English banks in the loan such as M. Pichon had told me only a short time ago that he would wish, and that there could not have been any question of an issue in London of Sir Ernest Cassel's share of the share of the Banque de Paris. The opposition of that bank to an issue of part of the loan in London was no doubt to that portion of the loan which certain English banks had expressed themselves ready to undertake. I did not know, I said to M. Guiot, what banks they were and whether they were anxious to participate, as desired by M. Pichon, but I called his attention to the proportions which he had specified, viz., 20 per cent. for the German banks, 10 per cent. for the Spanish banks, and nothing for the English banks, for the amount to be allotted to Sir Ernest Cassel was under an old standing agreement with the Banque de Paris, and could not be regarded as a participation of English banks. M. Guiot stated that the German Government had insisted on an issue at Berlin, basing their claim on the Franco-German Declaration regarding Morocco, and the Spanish Government had demanded an issue at Madrid for the 10 per cent. Spanish participation. There had been a question of Dutch participation, and the Dutch banks desired the issue of any Dutch share at Amsterdam. The multiplication of issues would, however, increase the expenses of the loan and consequently diminish the benefits to Morocco, and the Dutch application had therefore not been entertained. Similarly an issue in London would have the same consequences, and it would not be worth while to make an issue in London for an amount which in any case could only be small. As at present contemplated, the issues would be : Berlin, 20 per cent. ; Madrid, 10 per cent. ; Paris, 70 per cent. (viz., French consortium 47½ per cent. and Morocco State Bank 22½ per cent.).

I observed to M. Guiot that what he had said might be summarised as indicating that the French consortium of bankers are not willing to forego any of the profits accruing to the issue of the loan and that there is therefore opposition on their part to an issue in London. M. Guiot said that the reason is that the advantages for Morocco

would be diminished by a further division of issues, and it had been considered that Sir Ernest Cassel's share was the participation of the English banks.

With regard to the application of the Syndicate of persons at Tangier to participate to the extent of 5,000,000 fr. (200,000*l.*), M. Guiot stated that they are not in reality bankers though some of them are reputable persons, but as some proof of the character of the combination he might observe that M. de Rey, a Frenchman who is now in Paris to advocate the claims of the syndicate, is to receive as the reward of his mission, if successful, half of the whole of any profits accruing from the undertaking in prospect. He may be a most worthy and respectable individual but nothing is known for or against him except that he has resided at Tangier for about a year. The diplomatic representatives, including the French Minister, had no doubt passed on the application as a means of pleasing the applicants and getting rid of them. The application could not be considered as one to be seriously entertained. The State Bank of Morocco administration considers that bonds to the amount of 5,000,000 fr. (200,000*l.*) may well be set aside for Tangier applicants. M. Pichon had communicated to the Minister of Finance the recommendation made by M. Regnault that the request of the Tangier syndicate should be entertained, but M. Cochery had been of opinion that if he gave it his support he might have to do the same in regard to similar applications from other sources, and that to increase the number of establishments undertaking the issue of the loan would increase the expenses of the loan to the detriment of the Government of Morocco the interests of which it is the duty of the French Government to protect. He had therefore not intervened in the matter.

M. Pichon having left Paris for the Jura and the Ministry for Foreign Affairs being closed on account of Ascension Day, I am not able to make any further enquiries as to his Excellency's views in regard to the loan, but from what I have reported in this despatch it is evident that he is not kept fully informed of the communications which pass between his department and the Ministry of Finance, and between his colleague M. Cochery and the State Bank of Morocco and the French financial establishments concerned in the Morocco loan.

I have, &c.
FRANCIS BERTIE.

[15663] No. 103.

Mr. Lister to Sir Edward Grey.—(*Received May* 7.)

(No. 67. Confidential.)

Tangier, May 1, 1910.

Sir,

THE French Minister came to see me on the afternoon of the 29th instant, and showed me the enclosed copy of a formula which the Spanish Minister had communicated to him with regard to the question of the Ceuta-Tetuan road. M. Merry del Val had told M. Regnault that he had been instructed by his Government to draw up a formula, which might be adopted by the corps diplomatique, in connection with the recent resolution of the Committee of Public Works. (See my despatch No. 62 of the 22nd ultimo.) He said that he hoped M. Regnault would see his way to agreeing to it, and proposed that a meeting of the corps diplomatique should be called for Monday morning. M. Regnault replied that he must, of course, refer the matter to his Government, that the formula appeared to him more or less acceptable, and that he was quite prepared to meet his colleagues on Monday. M. Regnault and I subsequently talked the matter over, as I reported in my telegram No. 27 of the 29th ultimo. He said he was, on the whole, agreeably surprised at the formula, but we both agreed that the expression "dans la banlieue de Tétouan" was unsatisfactory. "Banlieue" appeared to imply a very restricted area, and we both thought that the words "hors de cette zone" should be substituted for it. We are also both of opinion that it would be necessary to define the frontier zone, otherwise, if the question were left vague, the Spaniards might raise inadmissible pretensions later on, and a new and even more difficult situation might be created.

M. Regnault told me that he was telegraphing to his Government in this sense.

Almost immediately after he left, the Spanish Minister came to see me. He told me practically the same as he had told M. Regnault, but did not communicate to me a copy of his formula. He merely stated it to me orally. I said that I understood that, briefly stated, its object was to make it clear that, within the frontier zone, the

question of the road was one for the exclusive discussion of the Spanish and Moorish Governments, in accordance with articles 66 and 103 of the Act of Algeciras, and that outside that zone the corps diplomatique approved the decision of the Committee of Public Works to put off the construction. I specially made use of the expression "outside that zone," and repeated it twice, as I had not liked the expression M. Merry del Val made use of to me, viz., "that part of the road nearest to Tetuan." M. Merry del Val accepted my version, and said that I had fully understood his idea.

On the following day M. Regnault informed me that he had received from his Government the text of a formula which the French Ambassador at Madrid had been instructed to propose to the Spanish Government, and to discuss with them at Madrid. It differed absolutely from the one which had been communicated to him and all the foreign representatives by M. Merry del Val, and M. Regnault said he was at a loss to explain this new development after the categorical statements made by the latter to him and to all his colleagues, that he had been charged by his Government to devise a formula here, and if possible get it adopted by the corps diplomatique. M. Regnault at once wrote to M. Merry del Val informing him of the formula which he had received, and stating that under the circumstances he must decline to assist at a meeting of the corps diplomatique to discuss his (M. Merry del Val's) formula, of which his Government apparently knew nothing. M. Merry del Val came round post haste to see him, said that he could not understand what had occurred, that he had no knowledge of M. Révoil's formula, and that he would telegraph at once to Madrid for explanations.

He dined here last night, and left after dinner to go and see M. Regnault, but returned shortly afterwards, and before taking final leave told me that a formula had been agreed on at Madrid between the Spanish Government and M. Révoil, *ad referendum* to the French Government, and that the text of it was to be sent to him and to M. Regnault by post from Madrid. The Spanish Minister for Foreign Affairs and M. Révoil were, however, both leaving Madrid for some days, and he did not think that any immediate decision could be taken, or that there could be any discussion of the matter here for some days. I said that the essential appeared to me to be that the Spanish and French Governments should have agreed to the formula, and that I had no doubt that His Majesty's Ambassador at Madrid would be kept informed.

I saw M. Regnault this morning. He appears to have held very much the same language to M. Merry del Val. He also told him that he was leaving at the latest on Wednesday for a tour in the Shawia, which had been arranged with the military authorities for some time past, and which could not any longer be delayed. Moreover, if a formula had been agreed upon at Madrid, he did not see why his presence here was required. M. de Billy was in possession of the views of his Government and would act for him.

M. Regnault is much mystified at the whole incident, and is inclined to think, that, notwithstanding M. Merry del Val's assurance, no definite agreement has as yet been come to at Madrid with regard to the formula. As to M. Merry del Val's formula and his desire to call a meeting of the diplomatic body *d'urgence*, it looks as though he had made an attempt to rush the thing through and obtain the consent of the representatives to a text which he considered more favourable than the one which appeared likely to be adopted in Madrid. It seems incredible that he should have imagined that such a procedure could succeed, but he is a man who never seems able to realise obstacles and has no sense of proportion as to their relative importance. As M. Regnault says, he does not know whether he is charging a sheet of paper or a brick wall.

M. Regnault told me very confidentially this morning that the French inspector of police had sent one of his confidential native agents to Ceuta in order to ascertain what was going on. The man, in whom he placed complete reliance. had now reported that the Spaniards were actually hard at work on the building of the road, and had already carried their operations to a point some 1,500 metres (about a mile) beyond the frontier zone. The workmen, both Spanish and Mussulman, had been given strict orders under threats of severe punishment to keep the prosecution of the work as quiet as possible, and not to communicate in writing with any one on the subject.

M. Regnault said that it was possible that this was being done by the military authorities without the knowledge of the Government at Madrid.

I have, &c.
A. LISTER.

Enclosure in No. 103.

Formula communicated to M. Regnault by Spanish Minister.

LE corps diplomatique prend note de la décision du Comité de la Caisse spéciale en date du 15 de ce mois.

Il entend que la question de la partie de la route de Ceuta à Tétouan comprise dans la zone frontière de la dite place forte espagnole est matière discutable entre l'Espagne et le Maroc exclusivement, pourvu que sa solution n'implique aucune infraction à l'Acte d'Algésiras. Après les déclarations de M. le Ministre d'Espagne, il a confiance dans la façon prudente dont le Gouvernement espagnol traitera cette affaire dans l'intérêt de tous.

Quant à la partie de la même route située dans la banlieue de Tétouan, il approuve la décision du Comité des Travaux publics d'en remettre la construction à plus tard.

[15664] No. 104.

Mr. Lister to Sir Edward Grey.—(Received May 7.)

(No. 68.)
Tangier, May 1, 1910.

Sir,

DURING the last few weeks a certain amount of discussion has been going on by circular between the French and Spanish Ministers on the subject of various modifications which the latter wished to introduce into the scheme for the procedure to be followed by the commissions to be appointed for the final settlement of the debts due to foreigners (see my despatch No. 29 of the 25th February). The German Minister finally asked for a meeting of the corps diplomatique to finally settle these points, which were dragging on endlessly. The Spanish Minister objected, but Dr. Rosen stood firm. The meeting was called; M. Merry del Val, however, withdrew the few remaining demands which he had made and which M. Regnault had been unable to accept.

At the meeting the whole matter was discussed, and various additions were made. The scheme, as finally revised, is now being printed in French and Arabic, and will be communicated to the Makhzen in a letter to be written by the doyen of the diplomatic body to the Commissioner for Foreign Affairs at Tangier. The approval of the Makhzen will not be asked, as we consider that that has already been given, Sid Aissa ben Omar having informed the French Minister in his letter of the 24th February (see my despatch No. 36, Confidential, of the 5th March) that eight more delegates would be appointed on the commission to examine the debts, and that full powers would be given to them to settle the claims without reference to the Sultan, in conformity with the procedure decided upon by the diplomatic body.

I am daily awaiting the printed copy of the regulations, which I will forward to you at once on receipt.

I have, &c.
REGINALD LISTER.

[15754] No. 105.

Sir M. de Bunsen to Sir Edward Grey.— (Received May 7.)

(No. 20.)
(Telegraphic.) P.
Madrid, May 7, 1910.

MY telegram No. 19 of the 2nd May: Ceuta–Tetuan road.

I am informed by the French Ambassador that his Government are ready to accept the formula outlined in my above-mentioned telegram, but first desire the Spanish Government to make satisfactory explanations regarding certain other questions.

French Ambassador had been led to believe by the Spanish Government that they had definitely abandoned their proposal with regard to the formation, in the new Moorish mining department, of special sections to deal with mining matters in the Spanish and French frontier zones. French Government consider this proposal quite

unacceptable. Spanish Ambassador in Paris, however, has now revived it in another form.

The action of the Spanish Minister at Tangier in making an independent suggestion for a solution of the road difficulty (see Mr. Lister's telegram No. 28 of the 29th April) at the moment when the matter was still being discussed between the French Ambassador at Madrid and the Spanish Minister for Foreign Affairs, has also caused some annoyance to the French Government.

I have repeated the above to His Majesty's representative at Tangier.

[15995] No. 106.

Mr. Lister to Sir Edward Grey.—(*Received May* 9.)

(No. 69.) *Tangier, May* 3, 1910.

Sir,

THE French Minister informs me that he learns from his consul at Fez that the Sultan was very much excited on receipt of letters from Guebbas informing him of the continual arrival at Ceuta of reinforcements, stores, road building material, &c., and reporting the general impression that the military authorities intended to march upon Tetuan were any sort of incident to arrive which could furnish them with a pretext. His Shereefian Majesty appears to have sent for M. Gaillard, and to have told him that at the first sign of any such action on the part of Spain he would at once call in the various mehallas and send them straight down to Tetuan to oppose the Spanish advance. He even went so far as to say that he should very probably take the command in person! He wished M. Gaillard to convoke the consuls and inform them of the above, but this the latter declined to do, saying that it was for the Makhzen, and not for him, to make a communication of such a nature.

The Sultan and Glawi appear to have talked very big of a holy war, which they maintained would be rendered imperative by an advance on the part of the Spanish troops on Tetuan. It would be ruinous for the Sultan not to offer forcible resistance; the country would forgive his being defeated in such a noble effort, but would certainly dethrone him were he to submit without a struggle.

I imagine that there was a certain amount of bluff in all this, and Guebbas tells me that he has now written to the Sultan to tell him that he thinks the danger is over for the moment, that he believes the Powers are all averse to anything that could disturb the much-needed tranquillity, and that he cannot imagine that in the face of this opposition the Spaniards will commit any act of aggression.

Si Mohammed-el-Geai, who has been very much in the Sultan's confidence during the past few months, is expected at Tangier to-day, and as he is Menebhi's most intimate friend I expect to be able to ascertain what the Sultan's real views and intentions are.

I have, &c.
REGINALD LISTER.

[14763] No. 107.

Sir Edward Grey to Mr. Lister.

(No. 57.) *Foreign Office, May* 9, 1910.

Sir,

I REGRET to learn, from your despatch No. 61 of the 22nd ultimo, that the French minister has reopened the question of the levy of agricultural taxes on foreigners in the Shawia under the regulations of 1881. I had hoped, after reading your despatch No. 60 of the 17th ultimo, that M. Regnault had realised the serious objections to his proposals, and had abandoned them. As it appears that this is not the case, I desire to place on record the views of His Majesty's Government on the subject.

It is pointed out with great force in your despatch No. 60 that at the time the 1881 regulations were being drawn up it was clearly understood both by the Makhzen

and the Diplomatic Body at Tangier that no taxes were to be included which were not already being levied on the Moors; that it was soon ascertained that many of the taxes included in the new regulations were not, as a matter of fact, being so levied; and that, in accordance with the notification previously made by the dean of the Diplomatic Body to the Moorish Commissioner for Foreign Affairs the regulations were, therefore, null and void. I have failed to find in M. Regnault's statement to you on this subject any reasons invalidating this argument, which is further strengthened by what occurred subsequently to 1881.

It is admitted that the regulations of 1881 were, from the beginning, inoperative, and this led in 1901 to a proposal by the Moorish Government that, in their stead, fresh regulations should be prepared. Negotiations ensued, and, after much difficulty, all the Powers were brought to sign the regulations of November 23rd 1903, which are known as the "Tertib Regulations." It appears clearly from the negotiations, though it is not explicitly stated anywhere, that these new regulations were intended to take the place of those of 1881, which had been declared to be "null and void."

At the Algeciras Conference it was debated whether in future the agricultural taxes should be based on the "Tertib" regulations of 1903 or on the regulations of 1881, or whether the more ancient system of taxes should be reverted to (see Minute of the second and third meetings of the committee of the conference, the 25th and 27th January, 1906). The decision was to adhere to the "Tertib" regulations, with some slight modifications and improvements, and the decision stands embodied in article 59 of the Algeciras Act.

The French proposal to levy taxes in the Shawia under the regulations of 1881 seems to His Majesty's Government a clear departure from the Algeciras Act, and it is to be apprehended that the authority of that Act will be seriously weakened if so important a provision as that contained in article 59 is simply set aside, and that not by the Moorish Government, but by the French military authorities acting in the name of that Government in respect of the particular province which is in their military occupation.

Even supposing it to be admitted that the 1881 regulations could now be revised, there would be no power to enforce them in one particular district to the exclusion of the rest of Morocco. Such a system of partial application has been agreed to, as regards the "tertib," by article 59 of the Act of Algeciras, but this arrangement cannot properly be made retrospectively applicable to the regulations of 1881.

I should be glad if you would communicate with M. Regnault in the sense of this despatch, explaining the reasons which would make it difficult for His Majesty's Government to authorise the levy of the proposed taxes under the obsolete regulations of 1881 upon British subjects or protected persons in the Shawia province.

I am, &c.
E. GREY.

[15533] No. 108.

Sir Edward Grey to Sir F. Bertie.

(No. 256.) *Foreign Office, May* 14, 1910.

Sir,

I HAVE received your despatch No. 185 of the 5th instant relative to the participation of British banks in the Moroccan loan.

As it was M. Pichon who took the initiative in pressing for British participation in the loan, I should be glad if you would take an early opportunity of calling his attention to the hostility with which the proposal met when the British banks took it up, and of expressing the regret of His Majesty's Government at the unfriendly discrimination in favour of German as against British financial interests in Morocco, for which they are unable to see any justification, and which they cannot admit to be in accordance with the spirit of the Anglo-French declaration of 1904.

I am, &c.
E. GREY.

[17458] No. 109.

Mr. Lister to Sir Edward Grey.—(*Received May* 17.)

(No. 71. Confidential.)

Tangier, May 4, 1910.

Sir,

HIS Majesty's Ambassador at Madrid has been good enough to send me a copy of his despatch No. 57 of the 28th ultimo, in which he reports the facts as stated to him by the Spanish Minister for Foreign Affairs, which led to the present situation with regard to the Ceuta–Tetuan road. According to the information which we possess here the version given by M. Garcia Prieto appears to me to be somewhat garbled.

Already before the Spanish Minister left for Fez, the Spanish authorities were doing all in their power to induce the Anjera tribe to agree to the construction of a road from Ceuta in the direction of Tetuan independently of the Maghzen. The negotiations, however, proved abortive. It is uncertain whether the matter was discussed by M. Merry del Val and the viziers at Fez, but it was undoubtedly one of the first questions raised by the Spanish Government after the arrival of the Moorish mission at Madrid. Ben Mouaz, the special ambassador, realising the great importance which the Spanish Government evidently attached to the point, proposed that the Moorish Government should appoint a commission of Moorish experts to proceed to the spot and draw up a report. This proposal was accepted at Fez. The Spanish Government then insisted upon M. Llorens, the assistant State engineer, being appointed on the commission. Cid Guebbas appears to have recommended the Sultan to agree to this, and His Majesty actually gave his consent in a letter sent to Cid Guebbas. In the meantime, however, the rumours of the concentration of Spanish troops at Algeciras and other ports, as also at Ceuta, reached Tangier, and Guebbas began to get very nervous as to what was going to be done. He consequently concealed as long as he could from the Spanish Minister that the Sultan had given his consent, and finally, when driven into a corner by M. Merry del Val, who appears to have discovered, probably from one of Guebbas's own staff, that the Sultan had yielded, he said that the consent was only given in a vague form and was by no means final. He then decided to refer the matter to the Committee of Public Works, as being one for their competence.

Guebbas, whom I saw yesterday, told me that he had had a long conversation with Ben Mouaz, who arrived at Tangier last Sunday on his way from Madrid to Fez. The latter told him that up to the very last moment the Spanish Government had continued to press him on the subject of the road, and had given him to understand that they would be prepared to withdraw other demands and waive previous objections if the Sultan would fall in with their wishes in that respect.

There appears little doubt that the Anjera tribe are in a very nervous and excitable condition, although the reports that reach us as to Spanish activity are contradictory. Some say that the Spaniards have already crossed the frontier, others that they are working hard on the road and erecting huts for the troops, but that they have so far remained within their zone.

I have, &c.
REGINALD LISTER.

[17459] No. 110.

Mr. Lister to Sir Edward Grey.—(*Received May* 17.)

(No. 72.)

Tangier, May 6, 1910.

Sir,

WITH reference to my despatch No. 67 of the 1st instant on the subject of the formula to be agreed upon by the Spanish and French Governments with regard to the construction of the Ceuta–Tetuan road, I have the honour to report that, after a considerable amount of delay consequent upon a confusion in the formulas, and the uncertainty of the Spanish Minister as to whether the formula agreed upon by the Spanish Government and M. Révoil really had the consent of the former, the matter

has at last been cleared up. I have now the honour to enclose a copy of the formula accepted by both Governments.

A meeting of the corps diplomatique was called this morning. The Spanish Minister read the formula, and expressed the hope that no objection would be raised to it by his colleagues. The French Minister declared that his Government agreed to it, and I, basing myself on your telegram No. 10 of the 30th ultimo, said that I was also authorised by my Government to accept it. The Portuguese and Russian Ministers did the same. The Italian Minister stated that his instructions were to "take note" of the declaration of the Spanish Government; the German, Austrian, and Dutch Ministers said that they must be given time to consider the formula, and possibly refer it to their Governments. This was agreed to. Any observations which they may subsequently have to offer are to be made in writing to the doyen of the corps diplomatique.

The French Minister is leaving to-day for a short trip in the Shawia, which had been arranged for some months, and which he has already been obliged to postpone for ten days. He will be back in less than a fortnight, and he expressed the hope that his colleagues might all have received their instructions by that time, so that, if necessary, a meeting might be held on his return. He is leaving before the end of the month for France.

I have, &c.
REGINALD LISTER.

P.S. *May* 7.—The German and Austrian Ministers have now informed the doyen that they accept the formula submitted by M. Merry del Val.

R. L.

Enclosure in No. 110.

Formula accepted by Spanish and French Governments.

LE Gouvernement Royal fait observer que c'est pour répondre aux vœux des indigènes résidant autour de Ceuta aussi bien que pour développer les moyens de garantir l'ordre et la sécurité dans la région frontière de cette possession, qu'il avait envisagé la nécessité d'y établir les routes. Ces travaux, auxquels le Makhzen s'était d'ailleurs montré favorable, devaient en outre servir l'intérêt général en se reliant à ceux destinés à l'aménagement ou à la réfection de la voie de communication se dirigeant de Tétouan sur Ceuta.

Le Gouvernement Royal croit inutile d'insister sur l'intérêt légitime et tout particulier qu'en raison de sa situation spéciale il porte à la réalisation de ce programme.

C'est pourquoi et en présence des considérations qui ont motivé l'avis du comité de la Caisse spéciale, le Gouvernement Royal estime qu'on leur a peut-être donné une portée trop grande en prévoyant d'ores et déjà que les études devraient être ajournées jusqu'à exécution intégrale des autres travaux prévus pour la région de Tétouan et répartis dans une période de trois ans.

Il est fondé à croire que le corps diplomatique ne verra pas d'objection à ce que les études dont le comité vient de charger le service technique soient commencées sur le terrain du côté de Tétouan dès le moment où l'expérience du début des travaux ci-dessus visés dans la région aura prouvé que les tribus font, comme le Gouvernement Royal en est convaincu, bon accueil à ces entreprises. Le Gouvernement Royal ferait considérer avec ce moment les études de la partie de la route à poursuivre dans la zone frontière de Ceuta d'accord avec le Makhzen. Il a le désir de témoigner qu'il ne perd pas de vue les inquiétudes que pourrait causer aux intérêts européens au Maroc toute perspective de conflit dans ces régions.

[17686] No. 111.

Sir H. Cunynghame to Mr. Langley.—(*Received May* 17.)

Hôtel Continental, Paris, May 15, 1910.

Sir,

I BEG to inform you that the recommendation of the project for the Mining Law of Morocco was terminated on Saturday evening.

It resulted in the preparation of a new protocol and the redrafting of the "règlement."

The principal points newly introduced were as follows:—

1. The approbation of the Special Committee constituted by article 1 of the "règlement relatif aux adjudications," made by virtue of article 66 of the Act of Algeciras, is rendered necessary to validate the action of the Service of Mines in deciding on what are, and what are not, minerals; in granting permits of search and exploitation; and in several other questions, notably the establishment of special rules (see article 53 of the revised "règlement").

2. Article 58 relates to the constitution and powers of an international neutral tribunal to decide questions arising out of claims made in virtue of old concessions or workings.

This of course includes the claims of the Mannesmanns. The framing of the article gave rise to a somewhat lengthy discussion. The desire of the German delegate was to give very wide powers to the court. The aim of the Spanish delegate was to protect a number of Spanish mines, which had been worked already, from being claimed by Mannesmann.

Finally, chiefly by the exertions of the French delegate, aided by me, the present text emerged, which I and the French delegate promised to recommend to our Governments. It is also to be submitted to Berlin and Madrid, and we are in hopes will be accepted.

3. Article 70 is new. It creates a new court for the decision of disputes between the Moroccan Government and grantees of rights of search and exploitation. The court is practically the same as that constituted by article 45 of the Act of Algeciras. This is an important innovation, and, it is hoped, will save many diplomatic disputes. It will be observed that the court when dealing with such questions will be strengthened by the addition of a Moroccan judge, and that when a European is a party his consul shall also be a member.

In the last amended draft of the "règlement," article 63 (now 62), the quantum of the resolution was left blank. Subject to your approval, I have compromised for 60,000 hectares, instead of the 50,000 hectares last suggested by me.

I feel sure that the German delegate will ask that areas granted by the Lausanne Tribunal, under the new head 58, *et seq.*, shall be excepted from this rule (the exception put in the present protocol is clearly a clerical error) (see the amended previous draft in print). It will be urged that such exceptions ought not to act retrospectively on rights already acquired and allowed by a tribunal. There is force in this; but Mannesmann, for all I know, may be claiming enormous areas. If the point is raised I will contest it; but if it is raised and if the French delegate yields it, am I to do so also?

With the exception of this point, on which I should wish for instructions, I do not see that there is anything in the new protocol to which exception can be taken. At the end of our meeting we adjourned till 2·30 on Wednesday afternoon, by which date we hoped to be in a position to state what our respective instructions were.

I have therefore the honour to enquire (1) whether Sir Edward Grey approves the "règlement" and protocol in its present form, or, if not, what amendments he would wish me to insist upon; (2) whether I am at liberty to attach my signature, in token of his approval, on behalf of His Majesty, to the "projet de règlement."

I enclose copies of the new protocol and "règlement,"* and am, &c.

HENRY CUNYNGHAME.

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* See Enclosure in No. 152.

[17686] No. 112.

Sir Edward Grey to Sir H. Cunynghame.

Foreign Office, May 17, 1910.

(Telegraphic.)

YOUR despatch of the 15th May received here only this afternoon. We cannot well bind ourselves at once and definitely to every word in amended project, which requires more careful examination in consultation with Board of Trade. But you are authorised to sign Protocol, on understanding that you do so *ad referendum*.

We agree to maximum limit in article 62, but see no reason to except from its operation areas granted by Lausanne court, as it does not seem right that monopolisation forbidden under the maximum rule in the case of all parties conforming to the law should be allowed to irregular concessionnaires like Mannesmann.

[17869] No. 113.

Sir H. Cunynghame to Mr. Langley.—(*Received May* 19.)

Hôtel Continental, Paris, May 18, 1910.

Sir,

WE had a long meeting to-day, at which article 58 of the draft sent by me to you was discussed.

It ended by the position of the German Government with regard to the Mannesmann affair being clearly defined.

I had not yet received any instructions, but instructions had come from Berlin to the German delegate, and these at our request he explained to us.

The German Government refuses to accept the draft unless the following amendments are made:—

(*a.*) *Article* 58, *sub-title* 1.—After the words "acquisition" insert "et la mise en valeur par les travaux faits dans les mines."

(*b.*) *Sub-title* 2.—Take out the words "de possession effective" and omit the word "tels" and the remaining words down to the end of the paragraph.

(*c.*) In article 60, last paragraph, under No. 1: Instead of 10 centimes per hectare deposit on making a claim before the tribunal put 2 centimes, or at least put a paragraph enabling the tribunal to reduce the sum.

(*d.*) Make the restriction of grants of exploitation to 60,000 hectares in article 62 not applicable to awards by the Lausanne court.

(*e.*) Reduce the yearly payment for rights of exploitation from 3 fr. to 2½ fr., and for prospecting (article 21) from 20 centimes to 18.

(*f.*) Change the constitution of the special tribunal for approving the acts of the "Service des Mines" to a tribunal of four members representing France, Germany, England, and Spain. (I do not think he will insist on this point.)

I proceed to observe on these points in succession:—

(*a*) and (*b*) are incomparably the most important, and with regard to them M. Habert exhibited a frankness that one does not always meet. He said that the German view was adopted to appease German opinion as expressed in the press and content the Mannesmanns, for whom the Government did not really care. For that reason the German Government desired claim (2) left so as to give the widest discretion to the tribunal.

The French and Spanish delegates pointed out that the effect of this would be to leave Mannesmann, who had no legal rights, in as good a position to demand permits as those who had actually worked the mines and were long anterior to him in claim; and he practically admitted this; and, further, that Mannesmanns intended to claim before the tribunal 6,000,000 hectares, or about six-sevenths of all the parts of Morocco which are known to contain minerals, and this by reason of an expenditure of about half a million of francs and untrammelled by any conditions as to duration or area of permits. No doubt after making this claim the Mannesmanns intend to bribe the Swiss press, just as they have, as I believe, bribed the German, and thus endeavour to put pressure on the judges.

I said that I did not believe my Government would agree to these proposals or any of them; that while I was prepared to recommend the article 58 as it stood, I

certainly could not consent to the proposed alterations, which quite changed its whole operation. The French, Spanish, and Moroccan delegates were also against it.

I gathered from M. Habert's manner that the German Government in putting this claim forward is not really desirous that it should succeed, but only wants to give such a form to the article as shall satisfy the press and leave the Mannesmanns to make what use they can of it before the tribunal.

The other points, (*e*) and (*f*), present no great difficulty. I proposed to insert in the protocol an expression of opinion that some further sum might be allowed to the Sultan, for in truth I think that 3 fr. is very small, and the French delegate said that with this reservation he would vote for 2½ fr. I think it not impossible that M. Habert will receive instructions from Berlin to waive the point. There thus only now remains the Mannesmann question, which I doubt whether we here can solve. Certainly it would seem desirable either to limit Mannesmann's total claim or else to give some further instructions to the tribunal than merely to proceed in "équité"—a word which is the vaguest that it is possible to employ.

We have adjourned till Saturday morning at 10 o'clock, by which time I hope to have received your instructions.

I am, &c.
HENRY CUNYNGHAME.

[17869] No. 114.

Mr. Langley to Sir H. Cunynghame.

Sir, *Foreign Office, May* 19, 1910.

I AM directed by Secretary Sir E. Grey to acknowledge the receipt of your despatch of yesterday's date, reporting further on the proceedings of the International Commission appointed to consider the text of a Moorish Mining Law.

2. A telegram dispatched from here on the 17th instant conveyed to you the Secretary of State's authority to sign *ad referendum* the protocol, with draft law attached, of which you had submitted the text for his approval in your despatch of the 15th instant. It also expressed his views and gave the necessary directions on the several points which you had specifically raised. He regrets that these instructions did not, apparently, reach you before the meeting of the commission which took place yesterday.

3. Sir Edward Grey sees no reason, after carefully considering your further report, to modify the instructions already given. He entirely agrees with you as to the objectionable nature of the latest German proposals. Their object seems to be to secure for Messrs. Mannesmann specially favourable treatment in respect of claims which the German Government themselves have on more than one occasion publicly declared to have no legally valid foundation. Such an arrangement His Majesty's Government feel unable to countenance. In their opinion the provisions of article 58 in the form previously submitted by you afforded very generous terms to claimants having genuine interests that might not be fully met by the terms of the proposed law itself. The amendments now put forward would make it possible for a particular group of such claimants to obtain from a tribunal bound by no rules beyond the vaguest considerations of "equity," a measure of preferential treatment which would amount to almost a monopoly of all mining rights in the Shereefian dominions. It seems altogether inconsistent to set up a general mining law and at the same time to create outside the scope of that law a privileged position for particular parties, whose claims to such a position is deliberately denied by all the Governments concerned.

4. It is unnecessary for me to repeat the reasons for which His Majesty's Government take the strongest objection to the establishment of such a monopoly as the German claimants do not conceal their desire to set up. It is for those reasons that they have insisted on limiting the areas over which the mining rights of any one person or group of persons are to extend, and it is with some reluctance that they have agreed to so wide a limit as 60,000 hectares. To exempt from any such limitation the grants to be awarded by the Lausanne tribunal in favour of claimants who have not complied with the provisions of the law would be neither fair to those parties which are ready to conform to the law, nor in accordance with the spirit of the Algeciras Act. I therefore hope that on further consideration the German delegate will withdraw his amendments

and remain satisfied with the very substantial concessions offered under article 58 as previously drafted.

5. The above observations apply more particularly to the proposals summarised in your despatch under the heads (*a*) and (*b*). As regards the suggested reduction of dues and taxes to which you refer under heads (*c*) and (*e*), His Majesty's Government have, as you are aware, already stated their opinion that it would be a matter for regret if an impression were created that the introduction of European capital and industries, however desirable in the interests of Morocco, were encouraged by the Powers on conditions which did not take into sufficient account the needs of the Shereefian revenue. To this opinion His Majesty's Government adhere. If, however, on mature consideration the French, German, and Spanish delegates are agreed to set up the lower rates now proposed, I am willing to concede the point.

6. I am doubtful as to the wisdom of setting up a special body of four members, representing Great Britain, France, Germany, and Spain, for the purpose of advising the Moorish Mining Department such as you discuss under head (*f*). It seems to me that the original proposal to entrust this duty to the existing Public Works Committee is more in harmony with the practical requirements of the situation, and I should therefore prefer to see it maintained.

I am, &c.
W. LANGLEY.

[17942] No. 115.

Mr. Lister to Sir Edward Grey.—(*Received May* 21.)

(No. 74.)

Sir, *Tangier, May* 11, 1910.

IN my despatch No. 69 of the 3rd instant I reported that Si Mohammed-el-Geai was expected to arrive at Tangier. I subsequently heard that his plans had been changed and that he had gone to Arzila. He remained at the latter place for two days with Raisuli and then returned to Fez. A few days ago Raisuli wrote to Menebhi and asked him to send Si Kassim, his confidential agent and man of business, to him, as he had something to tell him of a nature too confidential to write. Si Kassim returned yesterday, and Menebhi told me to-day that El Geai had been sent to Raisuli by the Sultan with orders that, if the Spaniards showed any sign of advancing from Ceuta, he was to place himself at once at the head of all the troops in his own and in the Tangier districts and march against them. El Glawi would at the same time leave Fez with reinforcements and on arrival take over the supreme command. At the same time a message was sent to Guebbas to the effect that he was to place himself entirely at Raisuli's orders, and do exactly what the latter told him. His Excellency has been so upset by this message that he has taken to his bed, and sent me word to say he was too ill to receive me. Similar orders have been sent to Bushta Bagdadi and the kaïds of the district. I am told that the Sultan's orders to Raisuli are the result of two sleepless nights spent in discussion with his viziers, and that his first impulse was to declare a holy war against all Christians, at the same time sending a letter to the representatives of all the Powers to say that during the last fifteen months he had done all he could to please them, had made endless concessions, that this was the way they rewarded him (by invading his territory), and that he was sick of the whole thing, and intended to fight them one and all with all the forces at his disposal.

Raisuli says he has no intention of carrying out the Sultan's orders were the Spaniards to make a forward movement. This appears unlikely, at all events for the present, for, as I stated in my telegram No. 32, the confidential agent sent by the Union des Mines to ascertain what was going on at Ceuta and on the frontier reports that all is quiet, that the general is leaving for Madrid, and that work on the road has been suspended.

I gather, however, from other sources that considerable unrest exists amongst the tribesmen between Ceuta and Tetuan, and that the existing road is quite unsafe.

I have, &c.
R. LISTER.

No. 116.

[17943]

Mr. Lister to Sir Edward Grey.—(Received May 21.)

(No. 75.) *Tangier, May 14, 1910.*

Sir,

THE news which continues to reach me and my colleagues from various sources at Fez all tends to show that the attitude of the Sultan is growing more and more unsatisfactory. He has not given effect to a single one of the promises made in writing to the French Minister at the time of the ultimatum (see my despatch No. 36 of the 5th March), and there appears little doubt that, notwithstanding his solemn engagements, he intends to decline up to the last to grant full powers to the commissions to be appointed to examine the debts at Tangier. He has furthermore violated other promises given, and shown by recent actions that he is decided not even to take into consideration the requests of the foreign consuls. Si Aissa Ben Omar attends the court once more and deals with foreign affairs. He is inclined to be conciliatory, but his decisions are always in the last instance reversed by El Glawi, and if the consuls go direct to the latter they are informed that all affairs connected with foreigners or foreign Governments are dealt with by Si Aissa. It is consequently impossible to get anything settled.

The general exasperation against the Sultan increases. His exactions are growing daily more intolerable, the troops remain unpaid, disaffection is rife, and the last reports from Fez announce a serious defeat of the Imperial mehalla operating in the district between Fez and Alcazar.

The Europeans in Fez are beginning to grow alarmed at the situation, and Mr. MacLeod, in a private letter received a few days ago, says that there is some talk amongst them of an exodus becoming necessary. There has, however, been no question at Tangier of such a step being taken. There is no doubt that the Sultan's situation throughout the country is very shaky. The southern kaïds have refused to send him up any more money. Rabat, as I gathered during the twenty-four hours I was there, is frankly Azizist, Raisuli is perfectly cynical, Menebhi's treatment by the Sultan is not calculated to increase his loyalty, Si Aissa Ben Omar has spoken openly to Dr. Verdon of the necessity of getting rid of Hafid, and declared that El Glawi would be the first to desert him were a hostile movement to be started. Should the standard of revolt be raised the Europeans at Fez might find themselves in an awkward position, although the feeling in the country is solely anti-Hafidist, by no means anti-Christian. Were Hafid, however, to think that the game was up he might possibly attempt to detain the Europeans as hostages in the hopes of forcing an intervention by the Powers. There can be no general movement in the country until a serious rival can be found. Abd-el-Aziz, of course, is the one whose name is in every mouth, but I am convinced that he would not allow himself to be proclaimed unless he had previously received positive assurances from the French that they would see him through. The latter are, I imagine, very averse to appearing in the matter. They feel, probably rightly, that were they to turn Hafid off the throne it might create a revulsion of feeling in his favour, and would prefer the movement to come purely from the Moors. At the same time they are certainly becoming very sick of Hafid's faithlessness to all his engagements; they realise that at the present moment they have the whole of Europe with them, and they may be driven to take action.

I have, &c.
REGINALD LISTER.

No. 117.

[17944]

Mr. Lister to Sir Edward Grey.—(Received May 21.)

(No. 76.) *Tangier, May 16, 1910.*

Sir,

IN continuation of my immediately preceding despatch, I have the honour to report that the French secretary in charge of the legation during the absence of M. Regnault in the Shawia told me yesterday that he had just received a letter from M. Gaillard painting the situation at Fez in the blackest colours. The Hiaina tribes, emboldened by their victory, attack the mehalla daily, and are assisted by the 'Tsoul and Branès. Moreover, the loyalty of a few tribes who have hitherto maintained their

allegiance to the Maghzen is wavering, and they may be expected to join the enemy at any moment. This would probably mean the destruction of the mehalla, and the situation in Fez might then become desperate for the Sultan.

I understand that after the last defeat he sent all the remaining troops out to reinforce the mehalla; consequently the capital is absolutely denuded.

Moulai-el-Kebir's star is said to be in the ascendant, but I am not inclined to attach much importance to him as a pretender. I gather that the tribes are quite glad to make use of him as figurehead, but have no intention of taking him as their lord and master.

I have, &c.
R. LISTER.

No. 118.

[18032]

Sir Edward Grey to Sir H. Cunynghame.

Foreign Office, May 21, 1910.

(Telegraphic.) P.

GERMAN Ambassador here asks that you may be instructed to vote for prolongation of discussions at Paris instead of breaking up to-day. This may be an indication that German Government may yield in Mannesmann question in view of opposition of other Powers. If satisfactory settlement appears in sight the commission will no doubt welcome opportunity of definite solution, but I hesitate to give you positive directions in sense desired without fuller information respecting present situation. Please report.

No. 119.

[18186]

Sir M. de Bunsen to Sir Edward Grey.—(Received May 23.)

(No. 63. Confidential.) *Madrid, May 15, 1910.*

Sir,

FROM a conversation which I held with the French Ambassador yesterday, I gather that the incident of the Ceuta–Tetuan road, which caused such heartburnings at Tangier, may now be regarded as having been satisfactorily settled. The precise formula employed will doubtless reach you from Tangier. I understand that it sanctions the construction of a small portion of the road in the immediate vicinity of Ceuta by direct agreement between the Spanish Government and the Makhzen, but that work is not to be commenced upon it until experience derived from the road making which is proceeding in the neighbourhood of Tetuan has shown that such works are not calculated to arouse the hostility of the tribes.

M. Révoil had an audience yesterday of the King of Spain. He has been good enough to inform me in confidence that His Majesty spoke in a very reasonable and straightforward manner about the Morocco question. He expressed to M. Révoil his great satisfaction at the termination of the trouble between the rival mining companies in the Riff, which seemed a short time ago so likely to develop into a serious complication. As to the Ceuta region, His Majesty declared positively that he had never had the slightest intention to make a movement on Tetuan. But Spain had been caught napping at Melilla, where it could not be said that the garrison was prepared for the sudden call upon its forces by which it was surprised in July last. The King was determined that nothing of the kind should happen at Ceuta. The garrison of this fortress had therefore been considerably increased, and it was gradually being put in a condition to meet any sudden emergency, though none was to be apprehended, so far as His Majesty knew.

M. Révoil, for his part, assured King Alfonso that the main object of France in Morocco was to prevent a conflict. Hence the nervousness of the French Government when it was suspected that Spain was contemplating active operations likely to involve a serious conflict with the tribes.

His Excellency was much pleased with the interview, and seems to be considerably relieved by His Majesty's declarations.

I have, &c.
MAURICE DE BUNSEN.

[18168] No. 120.

Sir H. Cunynghame to Mr. Crowe.—(Received May 23.)

My dear Crowe, *Hôtel Continental, Paris, May 22, 1910.*

THANKS for your letter, also the letter of instructions and the prints. I received the last telegram about 11·30 yesterday evening (Saturday). In answer to your request to report, I had better, I think, shortly narrate the course of the negotiation, so as to put Mr. Langley in a position to judge better how it stands.

2. As soon as I got his despatch dated the 19th May I arranged a private talk with M. Aguillon, who came and had tea here. I told him that I was instructed to be firm on the two questions of applying the limit of 60,000 hectares to any rights of exploitation that might be awarded by the Lausanne court, and also as to the retention of the form of reference as proposed in the last project (*i.e.*, the one sent to and printed by you and sent to me).

3. He wished to suggest to the Germans to compromise by allowing the limit to be removed as to all claims "sur une base juridiquement valable" (see article 58 (1), line 3), and only to apply to "equities" under (2) and (3). He urged that if one had a *droit*, it seemed unfair to cut it down by a subsequently imposed restriction of area. I, however, replied that we now had reason to believe that the Mannesmanns intended to make claims to enormous territories under (1), and if they could not get them as *droits* under (1), then to fall back on (2), and that it would be desirable to prevent if possible these enormous claims, and that it was not unfair that claims which originated after the Act of Algeciras, according to which a mining law was to be laid down, should be subject to restrictions usually applied in mining laws in general, and to those in French colonies in particular. I begged him not to suggest any solution. "Let the Germans," I said, "find the solution." Why should you help them?

4. On the second point he proposed to give up the words "tels que" in (2) down to the end of the paragraph, resting content with the words "faits de possession effective antérieure à la publication du présent firman." To this I also objected, saying that it was much the best to try and carry the text as it was. If we gave way, the Spaniards, who had actually expended 7,000,000 fr. on their mines, would object; and it was time enough to fall back on a compromise if we were definitely beaten on our main contention.

5. On Saturday we had a general discussion, which lasted about two and a half hours. The Spanish delegate was absent, being ill.

6. I took the chief burden of argument. I thought I perceived (as I had previously begun to suspect) that the Germans were anxious to try and settle at Paris, and not to have the question again referred to diplomacy, with the possibility of another discussion in the Chamber, and more articles in the press, and possibly finding themselves with not only the French, British, and Spanish delegates against them, but ultimately all the smaller Powers also. I accordingly pressed my points in a very friendly way.

7. The first part ended by M. Hubert saying that he thought he might propose to his Government to concede the 60,000-hectare question and leave the text as it stands, but that he proposed to put the following note in the protocol:—

"Le délégué d'Allemagne fait observer qu'il est entendu par son Gouvernement qu'une personne ou société à qui soit attribué par la cour d'arbitrage un certain nombre de permis de recherche pourra en disposer librement sans être empêché par la clause de l'article 62."

8. As this only alludes to "permis de recherche" and article 62 only deals with "permis d'exploitation," I do not see that effects much. It is possibly only inserted to appease the Mannesmanns, who, I fancy, have some idea of trying to obtain large concessions of *recherche* and then selling them out to smaller companies in smaller lots the exploitation of which would not be contrary to article 62. In any case, I suppose if we get the text approved we cannot object to the Germans putting what they like in the protocol—it cannot bind any one else. We shall see what they say finally to-morrow.

9. The question of the terms of article 58 (2) was then discussed with reference to the German proposal to omit the words "de possession effective," line 4, and "tels que," line 5, down to the end of line 6.

10. I said that we could not possibly consent to leave claims to be decided according to "equity" without any explanation of what equity was by way of either definition or illustration. Equity with us, I said, does not mean "justice" in the sense of ideal natural justice; it only stands for a certain practice of some centuries, and not at all invariably in accordance with justice in the abstract. To put such a word in would only confuse the court. You might as well put "selon leur bon plaisir," which, though obviously inadmissible, would at least have the merit of being clear.

11. After some discussion, I suggested that perhaps he would like to add a little to the "tels que" clause. Those words were intended, I said, to cover all sorts of claims that might fairly arise. If there is any sort of claim they do not cover, and that is a just one, I propose to you to suggest it; if there is not, then what more can you demand? (The truth is, I think that the Mannesmanns purposely want wide words used in order to make vague claims, and then win what they can from the Spaniards and others, and compromise for the rest.)

12. This last proposition M. Hubert promised to consider, and to obtain instructions. I asked if he had any points under articles 1–57 and 63 to end. He said no. I suppose, therefore, that the suggestion mentioned in (6) of Mr. Langley's letter of the 19th May is dropped; but I will watch the point. I said that as at present instructed I had no changes to suggest. I would ask you please to go at once with the Board of Trade through the articles, and, if you want anything, to let me know at once by letter and send me a wire.

13. Finally, before we separated, I said laughingly that I was beginning to be afraid that after all we should have to leave article 58 to the "diplomats"—it was a pity; but we had done our very best to meet them, and I added that my time there was limited, that I was wanted home in June, and that I hoped it would soon be over one way or another.

14. I need hardly tell you, that I have in reality not the least intention of suggesting leaving Paris so long as the Foreign Office wants me to remain, and that I am determined, if a friendly tenacity can accomplish it, to carry the points mentioned in the letter of instructions.

I shall write to you after Monday's meeting, and am, &c.

HENRY CUNYNGHAME.

[18497] No. 121.

Sir H. Cuaynghame to Mr. Langley.—(Received May 24.)

Paris, May 23, 1910.

Sir,

I HAVE the honour to inform you that we assembled again this morning.

The German delegate withdrew his demand for a clause exempting articles 58–60 from the operation of article 62, but announced his intention of putting the following paragraph in the protocol:—

"A l'occasion de l'article 62, M. le délégué de l'Allemagne fait observer que, pour lui, il a ce sens et cette portée, qu'il ne s'applique pas aux simples permis de recherche qui seraient reconnus attribués par la cour d'arbitrage et dont les intéressés pourraient par conséquent disposer librement."

The discussion on articles 58–60 was resumed. The German delegate persisted in his demand that article 58 (2) should be amended by the omission of the words "de possession effective" and "tels que" down to the end of the paragraph. He also asked to omit article 58 (3), and to replace article 60 (4), paragraph 1, by the following:—

"Si la décision de la cour reconnait ou attribue à un réclamant un droit de recherche ou d'exploitation contesté en droit ou en équité par un autre réclamant, la décision pourra établir que le droit accordé ne sera définitivement acquis qu'après paiement de l'indemnité accordée à l'autre réclamant. Toutefois, l'attributaire peut, avec l'agrément de la cour, renoncer à son droit de recherche ou d'exploitation en faveur de l'autre réclamant, et dans ce cas la cour lui accordera une indemnité appropriée."

These amendments (except the last) were opposed by the French and Spaniards. Acting on my instructions, I commented on the vagueness of the terms "droit" and "équité."

It became clear that we should never agree to 1, 2, and 3 in their present form. We accordingly attempted to see if we could arrive at an agreement by abandoning the attempt to define rights and equities, and the following text was proposed:—

Omit all of article 58 down to the end of sub-section 3, "la cour arbitrerait," and put instead:

"Une cour d'arbitrage sera instituée pour décider souverainement en faveur de qui, à raison des titres, actes, faits, occupations effectives, ou circonstances, antérieurs à la publication du présent firman, doivent être reconnus ou attribués des permis de recherche ou des permis d'exploitation ou éventuellement allouées des indemnités.

"Ces indemnités seront suivant ce qu'en décidera la cour, soit à la charge du Maghzen si elles sont motivées par les actes le concernant, soit à la charge de l'attributaire, s'il s'agit de mines réclamées simultanément par divers prétendants."

The last two paragraphs of article 58 and the whole of articles 59 and 60 to remain as in the present draft.

If this is accepted, it puts an end to our disputes, and we all four engaged to recommend it.

The Germans, prompted by Mannessmann (to whom, I believe, all our proposals are being shown), may try to remove the words "occupations effectives" in order to weaken the claims of occupiers; but, if you approve, I propose to be quite firm on this point, and refuse to yield it.

I do not feel able to judge how, under this text, the court would deal with the Mannessmann claims, but on the face of it the text seems to me to be reasonable, and I am inclined personally to prefer it to the proposals in the print.

The question, therefore, is whether Sir E. Grey would wish that (1) I should accept the proposed new text, or (2) insist on the proposals in the print, or else (3) would desire that, in view of our being unable to agree, I should say that our Government desired to reserve altogether the question of how claims should be dealt with, and not agree to any form of articles on that point.

In any case, I presume that I am to sign in respect of articles 1–57 and article 62 to the end, such signature, I understand, to be as approving, in my character of "délégué," of the projet, leaving the various Powers, including Great Britain, to say afterwards how far our projet meets with their approval. Our next meeting is arranged for Wednesday, the 25th May, at 2 P.M.

I have, &c.

HENRY CUNYNGHAME.

[18497] No. 122.

Mr. Langley to Sir H. Cunynghame.

Sir, *Foreign Office, May 24, 1910.*

YOUR despatch of yesterday's date has been received and carefully considered together with the letter which you addressed to Mr. Crowe on the 22nd instant. The turn which the deliberations of the commission has finally taken on the subject of article 58 of the draft law, makes it unnecessary now to enter into any examination or criticism of the several amendments originally proposed by the German delegate, but I am directed by Secretary Sir Edward Grey to express to you his entire approval of the line of action which you adopted in regard to this matter, and his appreciation of the manner in which you intervened in the discussions.

2. Sir E. Grey agrees with you in preferring the alternative text of article 58 as drafted at the meeting of yesterday, and he is prepared to accept it as a solution of the difficulties to which the German amendments had given rise. He would, on the other hand, see grave objection to the omission from the article of the words "occupations effectives," and he trusts that the text now proposed, which the four commissioners have been able after so much debate to agree upon with unanimity, will be maintained.

[18713] No. 123*.

Note communicated by M. Cambon, May 25, 1910.

RÈGLEMENT MINIER MAROCAIN.

LE délégué allemand propose l'adoption de l'article suivant :—

"Une cour d'arbitrage sera instituée pour décider souverainement en faveur de qui, à raison de titre, acte, fait, occupation effective et circonstances, antérieurs à la publication du présent firman, doivent être reconnus ou attribués des permis de recherches ou d'exploitation ou éventuellement être alloués des indemnités."

Le délégué français veut, au contraire, limiter le rôle souverain de la cour d'arbitrage en définissant les cas où celle-ci peut admettre les réclamations fondées seulement en équité; il estime que la cour, quand il s'agit simplement de faits sans bases juridiques, ne pourrait transformer ces faits en droits que s'ils constituent une possession effective, et il propose la rédaction suivante :—

"La cour aura à décider si et jusqu'à quel point par des raisons d'équité il y a lieu d'accorder des permis de recherches ou des permis d'exploitation à toute personne ou société qui, ne possédant pas de titres fondés en droit, se prévaut de circonstances ou de faits de possession antérieurs à la publication du présent firman."

Le Gouvernement britannique approuvera sans doute cette dernière forme de rédaction et voudra peut-être envoyer des instructions dans ce sens à son délégué.

Ambassade de France, Londres,
le 25 mai, 1910.

3. Sir E. Grey has some misgiving as to the reservation on article 62 which the German delegate intends to insert in the protocol. The article treats without any ambiguity of "droits d'exploitation"; and if the object of the reservation is merely to declare that a provision specifically made explicable to "droits d'exploitation" does not apply to "droits de recherche," this is so obvious a proposition that no reservation can posibly be needed to establish it. It is, therefore, difficult to avoid the conclusion that if the German delegate so urgently insists on making such a reservation, there must be some ulterior object which he has in view. The reservation can in fact only be defended on the ground that it modifies the draft law or at least places on it an interpretation which it would not otherwise bear. It is pertinent to ask what that interpretation or modification is.

4. It is gathered from your observations that the Mannesmann group are probably endeavouring to obtain prospecting rights ("droits de recherche") over very extensive mineral-bearing regions in Morocco, and then to sell the rights so acquired in lots to smaller companies. Sir E. Grey desires to remove all possible doubt that the provisions of article 62 are intended to prevent the concentration of vast working-rights in the hands of any monopolist concern. If the article does not explain this with sufficient precision, it should be amended. But if there is any idea of deliberately evading the provisions by setting up a number of more or less closely applicated companies which, although independent in name and appearance, are to be in fact under the control of a single syndicate, this would constitute a violation of the spirit of the article to which His Majesty's Government would feel compelled to take exception.

5. In order to avoid the possibilty of such an arrangement being planned under cover of the proposed reservation, it appears to Sir E. Grey that, should the German delegate insist on recording it on the protocol, you should on your part counter it by a further reservation to the effect that nothing said in the protocol can be allowed to alter the plain meaning of article 62, of which the letter and the spirit agree to exclude the contingency of any one individual person or concern being allowed *de facto* to own and control the working rights over mining areas in Morocco exceeding, in the aggregate, 60,000 hectares in extent.

I am, &c.
W. LANGLEY.

[18614] No. 123.

Sir H. Cunynghame to Mr. Crowe.—(Received May 25.)

3, *Rue de Castiglione, Paris, May* 25, 1910.

My dear Crowe,

AGUILLON called here to-day and had a long talk. He told me that his Government had instructed him that they could not support the text last proposed, because it left the question too open whether a claimant under an agreement with the Sultan arising after the Algesiras treaty could demand to turn out persons in good faith in actual occupation of mines, such as the Spanish and French companies.

He said that the Mannesmanns had made an offer to the French and Spanish companies to abandon all claims if they would give them 50 per cent of their profits.

His Government was prepared to accept either the text of November, or else the text which you have caused to be printed, or any other which made it clear that the rights of those in effective possession were to be respected.

I said I would refer the question home for instructions, and in the meantime reserve my position with articles 58, 59, 60. The position is that the Germans wish to give an absolutely free hand to the Lausanne court; the French and Spaniards wish for a stipulation that "possession effective" should be considered immediately after "absolute rights," but have priority over mere equities arising out of illegal agreements or payments.

As at present informed it seems to me that the question appears to be one that interests them more than Great Britain.

I wrote you on Sunday, and a formal letter on Monday. I am sending always now through the embassy as being more sure than simply posting here.

I have, &c.
HENRY CUNYNGHAME.

[18714] No. 124.

Sir H. Cunynghame to Mr. Langley.—(*Received May* 26.)

Sir, *Paris, May* 25, 1910.

INASMUCH as the remaining questions now being discussed are of a diplomatic character, it seems desirable that I should keep you informed of their progress.

At our last meeting on Monday we seemed upon the point of separating, because the German delegate could not accept the text either of the proposals of November (blue print) or those last made (white print). I urged that it was a pity not to try and make another effort, and finally a third text (which I have already communicated to you) was put forward by M. Aguillon, and seemed to meet with general approval.

The real difference between it and the former ones consisted in this: that while the same sorts of rights and equities were recognised, they were not marshalled in order, as in the previous drafts.

It is this marshalling that the Germans oppose, because it appears to give rights of occupation, however small or recent, priority over all other equities, as, for instance, those arising from purchase (like those of the Mannesmanns).

At to-day's meeting (Wednesday, the 25th), the Spanish delegate announced that he was prepared to accept the new draft. M. Aguillon said somewhat doubtfully that he thought he could do so (though yesterday I understood him to be of a contrary opinion). M. Haber said that the question was still being discussed at Berlin, and there was to be a consultation upon it, and he would not be ready with a full answer till Friday. The real crux is whether the words "occupation effective" shall be retained. Without them the French and Spanish delegates will, I think, certainly not consent.

I said that I thought these words necessary and fair; that if they were omitted, while other words such as "faits" and "circonstances" were used, it might be argued that no weight was to be attached to possession; whereas our view was, and it was the principle of the whole project, that open possession and working was of the highest importance in the consideration of equitable claims.

I took occasion to ask M. Haber to please say that I was instructed to press for these words, for unless they were conceded I did not see any prospect of agreement, much as my Government was desirous of an amicable understanding with the other Powers. This I hope may prevent some other impossible alternative being suggested, and compel them to consider seriously whether they can resist so fair a demand.

A long discussion then took place on the question how the payment by those who had contracts with the Makhzen could be conciliated with the proposed taxes, I and the French and Spanish delegates said that so far as the taxes were appropriated for the public service of the mines, they certainly ought to be paid by those who got the mining rights being levied in the interests of those who were working the mines.

Finally a text was proposed as follows:—

"Toutefois, la cour peut éventuellement fixer une indemnité que le Maghzen aurait à payer à un attribuaire reconnu en vertu d'un contract valide en droit par suite de la différence de taxation entre le titre originaire et la partie de la taxe du présent firman revenant au Maghzen. La cour pourra également obliger l'attribuaire à verser au Maghzen une indemnité spéciale en raison de la renonciation consentie par le Maghzen en vertu du présent article à des taxes consenties par des contracts reconnus valides en droit."

The importance of this point is that it is necessary that those who obtain concessions, if they succeed at all, should in any case pay at once for them an annual sum.

Mannesmann's contract with the Sultan is only for payments for working. If this were all he had to pay he might, if successful, lock up all the mines in Morocco for five years; but by making him pay at least that part of the tax applicable to the Public Service of Mines, and which is payable on the grant of permits, a considerable check is put on "accaparements."

I note your instructions as to a passage in the protocol about the 60,000 hectares. I shall not raise the point till the time comes, as my endeavours are directed to try and smooth over difficulties.

I am still of opinion that the German Foreign Office is anxious to conclude the affair, and thinks our text reasonable, but that they are trying to content the

[18744] No. 124*.

Mr. Lister to Sir Edward Grey.—(Received May 26.)

(No. 33.)
(Telegraphic.) P. *Tangier, May* 26, 1910.

M. REGNAULT has been informed by Cid Guebbas that the Sultan has written to him in regard to the sub-commissions to examine debts, referred to in my despatches Nos. 75 and 80. His Majesty has appointed him president of the commissions, and has named the Moorish delegates thereon, conferring full powers upon them. He had, however, replied asking for instructions as to the mode of procedure, as no mention had been made thereof in Sultan's letter.

M. Regnault registered a formal protest against this, as he stated that an engagement had been given to him by the Sultan in writing, by which he agreed to the adoption of the procedure to be drawn up by the diplomatic body. This procedure has now been elaborated and communicated officially to the Moorish Government. The French Minister added that if Guebbas wrote to the court for instructions, he should consider that he was conniving with the Sultan with the object of delaying settlement.

Guebbas is at his wit's end, not wishing, on the one hand, to displease the French, and fearing, on the other, to provoke the wrath of the Sultan.

This morning M. Regnault is sending the dragoman of the French Legation to Guebbas's office, demanding that the Moorish delegates be assigned without further delay to the four sub-commissions, and insisting on Guebbas adopting such measures as will ensure the commissions being prepared to start their labours by the 1st June.

I, with the other principal foreign representatives, have been requested by M. Regnault to follow his example. This I have agreed to do.

Mannesmanns, and I feel yet rather doubtful of a general agreement. We are, however, nearer to it than we have previously been.

I am, &c.
HENRY CUNYNGHAME.

[18714] No. 125.

Mr. Langley to Sir H. Cunynghame.

Sir, *Foreign Office, May* 26, 1910.

I AM directed by Secretary Sir E. Grey to transmit to you the accompanying copy of a memorandum, yesterday communicated to him by the French Ambassador at this Court, with a request that you should be instructed to support the French proposal therein explained as to the wording of article 58 of the draft mining law for Morocco.

2. Since then your despatch of yesterday's date has been received, from which it is gathered that your French colleague on the International Commission has not so far definitely put forward the proposal referred to as representing the final views of his Government.

3. When M. d'Aguillon, in the conversation with you which you reported in your letter to Mr. Crowe of the 22nd instant, first mooted his intention to adopt the shortened wording of the article for which the French Government are now anxious to have your support, you pointed out certain objections which made it, in your opinion, undesirable to compromise on these lines—at least so long as a possibility remained of securing more satisfactory terms. Subsequently the whole idea of proceeding on the basis of the 58th article as originally drafted, but amended to suit the German objections, was, Sir E. Grey understands, abandoned, and it was tentatively agreed to substitute an entirely new version, which, at the meeting of the commission on the 23rd instant, the four delegates recommended to their respective Governments. It is presumably to this new version that you refer in your despatch now under reply when you say that M. d'Aguillon expressed himself somewhat doubtfully as to whether he could accept it.

4. Sir Edward Grey is uncertain whether the communication from the French Ambassador foreshadows the intention of his Government to revert to the proposal which you dissuaded M. d'Aguillon from putting forward in the course of the conversation reported in your letter of the 22nd May, or whether the Ambassador's instructions were based on the intention entertained by M. d'Aguillon at that time, but subsequently abandoned under the influence of your criticisms. He therefore hesitates to give you any categorical instructions in the matter at this moment. He desires me, however, to say that he has full confidence in your discretion, and is willing to leave it to you either to adhere to the attitude you were authorised to adopt in my despatch of the 24th instant—that is to say, to stand by the new version of article 58 as provisionally recommended by the four commissioners—or, if you see no strong objection, to revert to M. d'Aguillon's former plan, which, although forming the subject of the French Ambassador's request for our official support, does not appear to have come formally before the commission as yet.

5. Sir Edward Grey concurs in your views concerning the arrangement proposed for the payment of taxes in respect of mining concessions to be obtained under awards of the Lausanne Tribunal, and he accepts the wording of the clause dealing with this point which you submit.

I am, &c.
W. LANGLEY.

[18770] No. 126.

Mr. Lister to Sir Edward Grey.—(Received May 27.)

(No. 79.) *Tangier, May* 21, 1910.

Sir,

ON the 28th March I addressed a note to the Vizier for Foreign Affairs, reminding him of the claims of British subjects which were still pending in the district of Kaid-

* [18713].

el-Yusfi. This kaid was, I understood, at Fez, and I requested that he might be compelled to settle the claims in question before he was allowed to leave the capital. Subsequently I wrote again to Ci Aissa Ben Omar, as a farm of Menebhi's, situated in the same district, had been looted by orders of the same kaid.

The French and Spanish Governments have also a number of claims against el-Yusfi and other kaids of the Gharb, and their consuls at Fez have been working with Mr. MacLeod to try and obtain a settlement. I have now the honour to transmit copies of two despatches which I have received from Mr. MacLeod on the subject, which are anything but satisfactory. In the absence of M. Regnault, I talked the matter over with M. Merry del Val, and we are going to take an early opportunity of discussing what had better be done with our French colleague, who has now returned.

I have, &c.
R. LISTER.

Inclosure 1 in No. 126.

Consul MacLeod to Mr. Lister.

(No 19.)

Sir, *British Consulate, Fez, May* 4, 1910.

WITH reference to your Excellency's letters of the 28th March and the 21st April to Sid Aissa Ben Omar, I have the honour to state that, together with certain other consuls here, I have been daily trying to obtain settlements of the claims against various kaids of the Gharb, now in Fez. The kaid we are concerned with is Isfi Al Sefiani.

He promised over and over again to settle the claims we have against him, and Sid Aissa Ben Omar assured the various consuls that, as requested by the legations, this kaid would not be allowed to leave Fez until he had settled the claims against him.

In the event, however, this kaid made interest with the Grand Vizier Glawi, obtained an interview with the Sultan, and has now been allowed to depart.

The court is not sitting this forenoon, and Sid Aissa is indisposed, but will be accessible this afternoon, when this decision of the Sultan will be strongly protested against by the consuls interested. I shall inform your Excellency of the result, if any, of that step, but meantime send the present report, as the attention of other Ministers will presumably be called to the matter by to-day's post.

I have, &c.
J. M. MACLEOD.

Enclosure 2 in No. 126.

Consul MacLeod to Mr. Lister.

(No. 20.)

Sir, *British Consulate, Fez, May* 5, 1910.

WITH reference to my despatch No. 19 of yesterday, I have the honour to report that the French, German, and Spanish consuls and I protested, severally, to the Vizier of Foreign Affairs yesterday afternoon against those Gharb kaids with claims pending against them being allowed to depart from Fez until such claims were settled.

Sid Aissa Ben Omar answered that the Sultan, notwithstanding the request of the various legations that these kaids be detained here, had decided that it was not reasonable for these kaids to be detained here, for the claims against them could be discussed and, if found just, be settled equally well whether they were here or at their posts, and that the claimants might attend at the palace—with the proofs of their claims—on the 6th instant, when the Sultan himself would attend to them.

Kaid Isfi Ai Sefiani is the only one with whom we are concerned, and he has departed to resume his duties.

I replied that Mr. J. A. K. Green, the only one of our claimants here against Al Isfi, would attend and, under the circumstances, would look to the Makhzen to themselves satisfy his claim subject to whatever decision your Excellency should come when information of all that had passed reached you.

The French Consul informs me that he has asked for the dismissal from office of certain of these kaids, and for a reprimand to Al Isfi.

I have, &c.
J. M. MACLEOD.

P.S.—I need scarcely say that the prospect of any satisfaction being given to these claims, now that the accused kaids have been allowed to leave Fez, is very small indeed.

J. M. M.

[18771]

No. 127.

Mr. Lister to Sir Edward Grey.—(*Received May* 27.)

(No. 80.)

Sir, *Tangier, May* 22, 1910.

THE French Minister returned to Tangier on the 19th instant from the Shawia, and I had a long conversation with him yesterday on the general situation. He read me the last three or four despatches which he had received from his consul at Fez. M. Gaillard takes a very pessimistic view; he considers it more than likely that the mehalla operating in the Hiaina district will be annihilated, and that, to use his words, "amènera presque certainement l'effondrement du Gouvernement de Hafid."

The stock of money is running low, the Sultan will in a very short time cease to receive anything from the customs, and M. Regnault told me confidentially that Captain Brémond, the second French instructor, had reported that to pay the troops the Government had been obliged to have recourse to the cases of silver stored in a strong room of the palace. Captain Brémond had been able to obtain admission to this room, and he noted that, though there were a considerable number of cases, they would very quickly be emptied if once their contents were required for the payment of the troops.

It is probably this shortage of money that decided the Sultan to take a step which has created a profound impression at Fez, namely, the arrest and imprisonment of Ben Aissa, the Basha of Fez, of his brother the Lord Chamberlain, and of his son, the Basha of Mequinez. Various charges were trumped up against them, but the impression at Fez appears to be that the main cause of their disgrace may be traced to the fact that they were very rich. All their possessions have been confiscated, and their womenkind have been imprisoned and subjected to what may probably have been a very disagreeable form of cross-examination in order to extract from them all details with regard to their husbands' fortunes and the places in which the treasure was concealed.

General consternation reigns amongst the rich inhabitants of Fez, who all feel that their turn may come next.

A relation of El Glawi has been appointed to the vacant Bashalik of Mequinez, and it is said that one of his sons will be named Basha of Fez.

M. Gaillard writes that the Sultan may be expected to go back upon all his written engagements with regard to the guarantees for the loan, the nomination of the sub-commissions; that His Majesty has refused all the requests which he has made to him during the last few weeks; and that the tone of his answers has become more and more arrogant, and latterly was almost insolent, more especially in connection with the permission which, notwithstanding the representations made by the French, British, and Spanish consuls (see my immediately preceding despatch), he has granted to the kaïds of the Gharb to leave Fez.

I asked M. Regnault what he intended to do, and he replied that his view was that for the moment, and until the loan was actually a *fait accompli* and the money paid in, it was better to lie low and do nothing violent ("couver le feu, mais pas le faire jaillir"); that he believed that the money would be actually paid up by the 10th June, and that, once that had been done, very strong action might be taken to bring the Sultan to reason. In any measures which France might then think necessary for that purpose he felt convinced that she would be backed by the Powers, whose interests financially were just as important as those of France. He added that he did not imagine that any very serious effort would be required, and that they would not be obliged to stretch their arm very far, for after all, as regarded the guarantees, they were practically all to be found at the ports, and the Powers would simply appropriate the remaining customs dues, &c. As to the sub-commissions, if the Sultan refused

to nominate or give full powers to Moorish delegates, the claims would have to be judged by Europeans, and the sums awarded to the claimants from the amount set aside from the loan for that purpose.

M. Regnault is leaving in a week's time for France, and told me he was anxious to get there as soon as possible to talk matters over with the Minister for Foreign Affairs, and develop to him at length his views on the situation.

I have, &c.
R. LISTER.

P.S.—The family of Ben Aissa is very powerful at Mequinez and amongst the neighbouring Berber tribes. He has always been an ardent supporter of Hafid, and rendered him signal service at the time of his entry into Mequinez; later on he was mainly instrumental in the arrest of Kittani, whose flight and disaffection threatened Hafid's throne more seriously than any incident during his reign. The Moors are beginning to realise, however, that gratitude for past services is not to be expected from Hafid. The arrest of Ben Aissa forms a good parallel to his scandalous disregard of Menebhi's just claims.

[18772] No. 128.

Mr. Lister to Sir Edward Grey.—(Received May 27.)

(No. 81.)

Tangier, May 22, 1910.

Sir,

HIS Majesty's consul at Fez has informed me in a private letter that Sergeant Balding and Mr. Redman (the latter was khalifa to Kaïd Belton, and has remained on in the Sultan's service) have been given letters, the former to the Amin Mestafed at Tangier, and the latter to the Hajieb for payment of their arrears in full up to date. This means in Sergeant Balding's case a sum of about 1,226 dollars Hassani (154*l.*).

It is to be hoped that there may be no difficulty in obtaining the money on these letters, but they are anyhow so far satisfactory as they constitute written acknowledgments of the amounts due, which the present Makhzen are very apt to dispute.

The question of the pay of British officers in the Sultan's service has been discussed by Dr. Verdon with a certain Dr. Weisberger, correspondent of the "Temps," who is a great friend of M. Gaillard, and is now staying with him at Fez. Dr. Weisberger appears to have expressed surprise at Mr. Macleod's not having been able to enforce the payment of Dr. Verdon's and Sergeant Balding's arrears, to which Dr. Verdon replied that Mr. Macleod had done all that was possible, but that since the Anglo-French agreement His Majesty's Government had out of deference to the French abstained from bringing such tangible pressure to bear on the Makhzen as in the past. Dr. Weisberger repeated the conversation to M. Gaillard, who told Mr. Macleod that he was most decidedly of opinion that by the principles of the Anglo-French agreement the French were bound to see that British officials in the Makhzen's service were treated similarly to French officials, and he could see no reason why they should not be included in any demands which might in time be formulated and submitted to the Sultan. M. Gaillard added that he believed that M. Regnault shared his opinion. I mentioned the matter to M. Regnault two days ago, and he absolutely endorsed the view taken by M. Gaillard, and said that he would be quite prepared to present the claims of the British officials at Fez with those of the French. He would make a point of suggesting this to M. Pichon, with whom he intended to discuss the whole situation thoroughly immediately on his arrival in Paris. I thanked him, and shall remind him of his promise before he leaves.

I have, &c.
REGINALD LISTER.

[18773] No. 129.

Mr. Lister to Sir Edward Grey.—(Received May 27.)

(No. 82.)

Tangier, May 22, 1910.

Sir,

IN my despatch No. 6, Treaty, I enclosed copy of a despatch which I had received from His Majesty's consul at Fez, reporting that the Sultan had desired him to convey

[18789] No. 129*.

Sir F. Bertie to Sir Edward Grey.—(*Received May* 27.)

(No 204.)

Paris, May 25, 1910.

Sir,

I HAVE the honour to transmit to you herewith copy of a memorandum* which I handed to M. Pichon to-day with the view of carrying out the instructions contained in your despatch No. 256 of the 14th instant, respecting the participation of British banks in the Moroccan loan.

I informed his Excellency of my conversation with M. Guiot, reported in my despatch No. 185 of the 5th instant, and of the unsatisfactory nature thereof, and I observed that the French financiers concerned had displayed excessive cupidity and had thereby thwarted a proposal made by himself. This M. Pichon admitted. He went on to say that he had no knowledge of Sir Ernest Cassel's participation in the share in the loan of the Banque de Paris et des Pays-Bas, and that it was not such a participation that he had in mind when he proposed to me that British bankers should take a part of the loan. His Excellency said that he would discuss the matter again with M. Guiot, and let me know the result.

I have, &c.

FRANCIS BERTIE.

* Not printed.

to the Royal Family his deep sympathy at the death of King Edward, and at the same time to offer his best wishes for the prosperity and happiness of His Majesty's successor.

You will observe that the Sultan added that when replying to the official intimation, which would doubtless reach him soon, he would repeat these messages, and would add that it would be of much gratification to him to offer them through representatives of his own, either now or on the occasion of His present Majesty's coronation. He evidently hopes once more that a mission may be received in London.

The Commissioner for Foreign Affairs asked Mr. Irwin to go and see him yesterday morning, and told him privately for my information that so desirous was the Sultan of removing the obstacles which at present stood in the way of the reception of a mission, that he had determined to address a letter to the doyen of the corps diplomatique, stating that although the punishments inflicted at the time of the Roghi's defeat and capture were justified by the condition of the country, &c., he had made up his mind never to permit them again, and to err in the future on the side of leniency.

I have, &c.

REGINALD LISTER.

[19165] No. 130.

Mr. Lister to Sir Edward Grey.—(*Received May* 30.)

(No. 83.)

Tangier, May 23, 1910.

Sir,

AFTER dispatching the bag to-day I had a long conversation with the French Minister on the subject of the levy of agricultural taxes on foreigners in the Shawia, which formed the subject of your despatch No. 57 of the 9th instant.

I found that M. Regnault was still inclined to cling to the idea that the regulation of 1881 could be invoked. He admitted that at a meeting of the corps diplomatique it had been agreed that the regulation must be considered null and void if it were proved that any of the taxes mentioned in it had not been levied from natives; but he maintained that later on, when this had clearly been proved to the satisfaction of the committee appointed to examine and report upon the question, the corps diplomatique had, in writing to Bargash, the Minister for Foreign Affairs, simply invited him to call a meeting of the foreign representatives at the Foreign Office and discuss with them the alterations and modifications which must be introduced into the regulation to make it valid. He agreed that this had never been done, but he was of opinion that, if done now, the regulation of 1881 could be considered to hold good.

I said that I could not agree to this view, and that in my opinion the arrangement of 1881 had lapsed; moreover, I called his attention to the minutes of the second and third meetings of the committee of the Conference of Algeciras, at which it was debated whether in future the agricultural taxes should be based on the "tertib" regulations of 1903 or on the regulation of 1881, or whether the more ancient system of taxes should be reverted to. I pointed out to him that in the opinion of the conference it was for the Moorish delegates to select the special system of agricultural taxation to be adopted, and that they declared themselves in favour of the "tertib" regulations of 1903. The conference decided to abide by their choice. It was therefore evident that it would be now impossible to return to the regulation of 1881. I further drew his attention to the fact that in any case it was the "tertib" regulations and they alone that could be enforced in one particular district to the exclusion of the rest of Morocco. M. Regnault was obliged to admit the force of these arguments, and is, I believe, writing to Paris in this sense.

I share his view that the benefits which the inhabitants of the Shawia are enjoying at present fully justify the payment by them of taxes, and it appears to me that he might make a declaration to the corps diplomatique somewhat to the following effect:—

That the "tertib" was evidently the only legal form of agricultural taxation and the only one that could be imposed locally, but that the difficulties in connection with its application were so great as to render it impossible for the moment; that he,

therefore, was anxious to draw up and submit to the various Governments and to the Makhzen a scheme of taxation based on the regulation of 1881 which might be imposed in the Shawia until such time as it was found possible to apply the "tertib."

Were he to adopt such a course his position would be strengthened by the fact that a taxation under the regulation of 1881 was considerably lighter than that imposed by the "tertib" regulations of 1903, and that the taxes now proposed by the French military authorities were on a lower scale even than those of 1881.

I have, &c.
REGINALD LISTER.

[19316] No. 131.

Sir F. Bertie to Sir Edward Grey.—(*Received May* 31.)

(No. 212.)

Paris, May 29, 1910.

Sir,

WITH reference to my despatch No. 204 of the 25th instant, reporting a conversation with the French Minister for Foreign Affairs in regard to a participation by British banks in the Moroccan loan, I have the honour to transmit to you herewith copy of a communication from the Ministry for Foreign Affairs on the subject. It states that M. Pichon's desire that British banks should participate in the loan was duly conveyed to the French banks, but that the French Government, of course, could not intervene in the discussion of the manner of carrying out the wish of the Minister for Foreign Affairs. They had every reason to believe that the arrangements made by the banks would be acceptable to His Majesty's Government, especially as no group other than that of Sir Edward Cassel had asked to participate in the issue. The largeness of the share allotted to the German group was justified, the memorandum says, by the amount of the German advances recognised by the Makhzen and to be reimbursed out of the loan.

The French Government have, his Excellency states, constantly acted in accordance with the principles laid down in the declaration of 1904, and have always caused to be allotted to British interests a fair share in commercial enterprises organised in Morocco, such as the Union des Mines and the Société marocaine de Travaux publics.

I have, &c.
FRANCIS BERTIE.

Enclosure in No. 131.

M. Pichon to Sir F. Bertie.

LE Ministre des Affaires Étrangères a pris connaissance de la note qui lui a été remise le 23 de ce mois par son Excellence l'Ambassadeur de Sa Majesté britannique et de laquelle il résulte que la part attribuée à Sir Ernest Cassel dans l'emprunt marocain n'est pas considérée comme une participation suffisante des banques anglaises dans cette opération financière.

Ainsi que le rappelle Sir Francis Bertie, M. Pichon avait exprimé le désir de voir les banques anglaises prendre une participation dans l'emprunt marocain; ce désir avait été communiqué aux banques françaises; mais il ne pouvait entrer dans la pensée du Gouvernement français d'intervenir dans la discussion des questions d'exécution. Comme en 1904, lors de l'émission du premier emprunt marocain, et en 1907, lors de la constitution de la Banque d'État du Maroc, le Gouvernement de la République a laissé aux établissements financiers le soin de régler entre eux ces questions; il était fondé à penser que ce règlement s'effectuerait comme précédemment dans des conditions donnant satisfaction aux vues du Gouvernement britannique, d'autant plus que le groupe anglais auquel on s'est adressé est celui-là même que ce Gouvernement a choisi en 1907 pour le représenter au sein de la Banque d'État du Maroc.

A aucun moment, d'ailleurs, aucun groupe anglais autre que le groupe Cassel n'a demandé à participer à cette affaire.

Le Ministère des Affaires Étrangères n'est pas davantage intervenu dans la

[19585] No. 132*.

Mr. Lister to Sir Edward Grey.—(*Received June* 1.)

(No. 34.)
(Telegraphic.) P. *Tangier, June* 1, 1910.

I AM giving up all hope of ever obtaining settlement of the Menebhi case by the Makhzen, who have not replied to my last note.

Subject to your approval, I suggest that Menebhi should put in a claim to the commission for value of his properties.

M. Regnault, who is acting similarly on behalf of a French protégé of distinction, approves of course suggested.

British prestige will be injured by delay in settlement, which I consider we should make it a point of honour to obtain.

fixation des conditions de la participation des autres groupes financiers ou étrangers ; il a appris cependant que huit groupes sur les douze qui ont constitué la Banque d'État se sont déclarés satisfaits avec une part de 1,800,000 fr., alors que la part attribuée au groupe anglais est de 6,000,000 de francs ; la part du groupe allemand, fixée à 20,000,000, trouve sa justification dans le chiffre élevé (environ 30,000,000 de francs) des créances allemandes reconnues par le Makhzen et remboursables sur l'emprunt.

Le Gouvernement de la République a conscience de s'être constamment inspiré des principes inscrits dans la déclaration de 1904. En toute occasion, et le plus souvent de sa propre initiative, il a fait réserver aux intérêts anglais une équitable représentation dans les sociétés constituées en vue d'entreprises au Maroc, telles que l'Union des Mines et la Société marocaine de Travaux publics. Le Foreign Office n'aura pas manqué d'apprécier la spontanéité et le résultat de nos interventions. Cependant, jusqu'à ces derniers temps, d'après les renseignements qui me sont parvenus, la Légation de Sa Majesté à Tanger ignorait la participation d'un groupe anglais à la Société marocaine des Travaux publics.

Paris, le 28 *mai*, 1910.

[19475] No. 132.

Mr. Lister to Sir Edward Grey.—(*Received June* 1.)

(No. 84.)
Tangier, May 25, 1910.

Sir,

IN my despatch No. 10, Treaty, of to-day's date, I transmitted to you the Sultan's reply to the official intimation of the death of King Edward, which was handed to me unopened by Guebbas yesterday. You will observe that His Majesty does not say anything of his desire to send a mission to London either now or for the Coronation, as he told Mr. MacLeod that he intended to do. Guebbas affected to ignore the contents of the letter, but said something of a possibility of a mission. I answered that I should of course transmit the letter to my Government, but that I would tell him privately that the Sultan's attitude had not been such as to incline me to make any personal effort to induce my Government to alter their decision. The settlement of Menebhi's claims had been hung up for a year or more ; no answer of any kind had been vouchsafed to my last letter on the subject ; and the Sultan's attitude in the recent case of the Kaïd-el-Yusfi was almost insulting, in view of the representations made by the British, French, and Spanish consuls.

Guebbas replied that he knew it only too well, and said that he thought that, if the idea of the mission were once more broached in the present letter, it would produce a very good effect if I wrote a strong note to the Makhzen on their attitude in general.

As no mention, however, is made of a mission I shall do nothing, and I am on the whole glad, for, as I stated in my despatch No. 80 of the 22nd instant, the French Minister is anxious to keep things as quiet as possible until the loan has actually been paid up ; when once that is done we can take up a far stronger line.

I have, &c.
REGINALD LISTER.

[19604] No. 133.

Mr. Lister to Sir Edward Grey.—(*Received June* 2.)

(No. 85. Confidential.)
Tangier, May 27, 1910.

Sir,

DURING the last few days the French Minister has had two long interviews with the ex-Sultan Moulai Abdel Aziz. His Majesty is very anxious to go for a journey of about two months. In the past he was accustomed to travel a great deal throughout the length and breadth of the Empire, both in the time of his father and during his own reign, and he says he is heartily sick of remaining cooped up in this little corner of Morocco. The house which he has been building is now nearly finished, and he would be glad to be away at the moment that his family and servants settle in. His desire is to go to Egypt and Syria, and to return viâ Tunis and Algiers.

This morning Abdel Aziz sent for Irwin and told him of his desire. He added that he should take a steamer at Gibraltar, and asked that the necessary intimation might be given to the governor. M. Regnault has informed the French Government of Abdel Aziz's desire, and does not imagine that they will raise any objections. The whole question, however, as he told me is a delicate one, and it will evidently be necessary for the ex-Sultan to be accompanied by some discreet and trustworthy man, who can protect his interests, and also save him from committing follies, financial or political. M. Regnault has a man in his eye, who, he thinks, would be suitable, a certain M. Sicard, who was a military interpreter, but is leaving Morocco and is very little known; he, however, said that the question would of course have to be carefully considered. In his opinion it was very important that during the stay of Abdel Aziz in Egypt some similar person should be attached to him, to prevent his falling into the hands or using indiscreet language. He felt convinced that this would be the view of His Majesty's Government. He had told Abdel Aziz that in Algeria and Tunis the French would be glad to place a reliable person at his disposal to help him by his advice and to facilitate his journey in every way, and that he imagined the British Government would be ready to do the same in concert with the French Government in Egypt.

His Majesty proposes to commence his journey by a visit to Egypt, and would be glad to start as soon as possible.

I asked M. Regnault whether in their conversations anything had been said of the political situation in connection with this sudden desire on the part of the ex-Sultan to leave Morocco for two months. He told me that at his first interview he had had the impression that His Majesty thought it would be better for him to be out of the way just at present, but that the internal situation would be carefully watched on his behalf during his absence. Yesterday the ex-Sultan seems to have talked more openly, and to have expressed little desire to return to the throne. Above all things he said he did not wish to be "imposed" upon the people. M. Regnault said there could be no question of his imposition, but that it was necessary to see things as they were, and it appeared more than probable that the Moors themselves might depose Moulai Hafid. He then was the man to whom all eyes would naturally turn, and would be expected to reascend the throne from which he had been driven by his brother; had he, M. Regnault asked, in contemplating such a possibility, thought at all of the men whom he would call upon to assist him in governing the country, for he must realise that he would be called upon to govern, and not only to sit upon the throne. He would also have to consider the question of resources. Moulai Abdel Aziz appears to have replied that he had not given these matter any consideration, and to have then gone off into a rather vague high-falutin disquisition on the theme that the best source of power for the Sovereign was the affection of his people! These sentiments produced rather an unpleasant impression upon M. Regnault, as, judging from past experience, the best means for a Sultan of winning the affection of his people was to adopt a violently anti-Christian policy. M. Regnault told him that in the event of his restoration he would, of course, have to collaborate to a considerable extent with the French, to which he replied that there would be no difficulty about that.

It is practically impossible to know what his real ideas and intentions are; but I cannot help thinking that he may desire to convey to M. Regnault the impression that he is not particularly anxious to reascend the throne, and that if the French want him there they will have to guarantee him their full support.

I have, &c.
REGINALD LISTER.

[19865] No. 134.

Mr. Lister to Sir Edward Grey.—(*Received June 4.*)

(No. 86. Confidential.)

Tangier, May 28, 1910.

Sir,

I HAVE received your despatch No. 61 of the 14th instant transmitting copy of a despatch from His Majesty's Ambassador at Paris relative to the request of a consortium of Tangier bankers that a share in the Moroccan loan should be reserved for them, and asking me for my observations in regard to the criticisms made on that

request by M. Guiot and M. Bapst. I certainly think that M. Bapst went very much too far when he described the bankers in question as "des farceurs," and, as far as I can make out, no instructions have been sent to M. Regnault to "se tenir tranquille."

I now transmit a list of the firms and individuals who compose the consortium. Of these, Messrs. Pariente, MM. Hassan, and MM. Braunschwig are all very serious bankers enjoying high reputations. MM. Jahn et Toledano are practically the same as Haessner and Joachimssohn, a serious German house; MM. Renschausen's firm, moreover, although not regular bankers, do a very large business in Morocco. They have all of them undoubtedly gone through a period of considerable stress and anxiety, and their desire to have a chance of making a profit by practically issuing the slice of the loan reserved for Morocco is not unreasonable.

At the same time, it is clear that the issuing banks in Paris are determined not to forgo a cent of their profits, and I gather from confidential information given me by Mr. Hodgson that M. Lestre de Rey, who acted as spokesman of the consortium in Paris, behaved very tactlessly, and succeeded in setting up the back of the directeur de la Banque de Paris et des Pays-Bas by practically threatening him with the intervention of the French Government, were their request not granted.

Mr. Hodgson also tells me that a large block of bonds have been put aside at the State Bank for Tangier applicants to be allotted at the same price as in Europe, and that more than 5,000,000 fr. worth have already been applied for exclusive of the demand made by the consortium. Messrs. Pariente, MM. Hassan, and MM. Braunschwig, doubtful probably of the success of their application for the right to issue, have all applied for considerable amounts. Mr. Hodgson told me also very confidentially that he was of opinion that the amounts they applied for would certainly be allotted to them, very probably at a somewhat reduced rate. The State Bank, he says, have the right to do this, and they are in such intimate relations with all three firms that he thinks they are sure to try and do them a good turn.

I told M. Regnault what Mr. Hodgson had told me, and he was of opinion that if this could be done, the three firms, which are certainly the most interesting of the consortium, would have been given the means of making a profit and have nothing to complain of, and the matter might be settled in that way.

I have, &c.
REGINALD LISTER.

Enclosure in No. 134.

List of Local Bankers.

Moses Pariente	English.
Charles Gautsch	French.
A. Renschausen	German.
Lestre de Rey	French.
Moses Ic Nahon	Italian.
Jahn et Toledano	German.
Salvador Hassan	Portuguese.
Abraham S. Nahon	Italian.
Braunschwig	French.
A. Ortembach	Spanish.
M. Y. Benasayag	Italian.
Pinto Hermanos	German.

[19605] No. 135.

Mr. Lister to Sir Edward Grey.—(*Received June 2.*)

(No. 87. Confidential.)

Tangier, May 28, 1910.

Sir,

IN continuation of my despatch No. 85 of yesterday's date, I have the honour to report that I had luncheon to-day with Menebhi on the mountain to meet the ex-Sultan. Before leaving Mr. White and I had a long talk with Moulai Abdel Aziz. He alluded at once to his journey, and told us that he had now practically abandoned the idea of going to Gibraltar, as he had been told that the English line of Papayanni steamers,

which run direct from Tangier to Malta and Alexandria, were very fairly good, and he proposed to take one of them. He asked me to let you know at once of his intention to visit Egypt, as he said he would be very glad if His Majesty's Government would place someone at his disposal who could assist him during his stay there, and advise him as to what to do and see. He proposed to remain there a week to a fortnight. I told him I would write to you at once, and ask you to reply to me by telegraph. The fact of His Majesty having himself asked for an official to be attached to him greatly simplifies the matter. After leaving Egypt he will proceed to Syria and return viâ Tunis and Algiers, and does not wish to be away for more than two months. He is leaving a confidential agent, who will keep him informed by telegraph of all that goes on in Morocco. He discussed the political situation with great frankness. All the power, he says, is now in Glawi's hands, who is consolidating his position every day by the appointment of members of his family to all the important posts in the Empire. The policy of obstruction which is now being followed is really his, but he is clever enough to make all the odium of it fall on the Sultan; the same may be said of the oppression and extortions which are practised on the natives. The Sultan has not the material power to resist him. Were he unsupported by Glawi, Abdel Aziz said that he would not give him a week to remain on the throne. Even as it was he thought that Glawi might any day decide, if he found that the Sultan had become too unpopular, to depose him and place some other member of the Imperial Family on the throne, who would be still more of a puppet in his hands.

We asked him if any Prince existed who would accept such a position, and Abdel Aziz replied that there were plenty. I then asked him, after apologising for meddling in what might possibly not be my business, if he thought it was quite wise to leave Morocco at a moment when events of such importance appeared to be imminent. He said that he did not really believe that anything would happen for the next two or three months.

Moulai Abdel Aziz spoke of the respect and affection with which the people still regarded him, and this gave me an opportunity of asking His Majesty whether, in the event of their calling upon him to mount the throne once more, he would accept. He replied in the negative: the idea of his accepting the throne with Glawi as the all-powerful Minister behind him was out of the question; his return under the ægis of the French, and with their support, would, he considered, be equally undesirable. A change of Sovereigns under the latter circumstances must, in his opinion, entail a complete change of régime, and it would be really far more to the advantage of the country that the new start should be made with a new Sultan. He himself would, he believed, retain a larger measure of popularity, and thus be able to render greater services to his country and to the Sovereign if he remained in his present retirement. There were, he said, among his brothers suitable candidates for the throne.

Moulai Abdel Aziz gave the impression both to myself and to Mr. White of being quite genuine in his declaration. There is no doubt a considerable amount of truth in what he says, but I fear that, no matter who the Sovereign is, or how nearly connected with Abdel Aziz he may be by ties of relationship and affection, he will inevitably after a very short time look upon the ex-Sultan with suspicion as constituting a standing danger to his throne.

I have, &c.
R. LISTER.

[19645] No. 136.

Sir H. Cunynghame to Mr. Langley.—(Received June 2.)

Sir, *Paris, June 1, 1910.*

IN continuation of my previous letter, I have to inform you that the negotiations about article 58 have taken longer than we anticipated, and it is not yet certain that we shall arrive at a settlement.

M. Habert has explained to us that his Government is endeavouring to find a text which will satisfy the French and Spanish delegates, while at the same time it also satisfies the German claimants, and on the part of his Government has begged us to remain.

I have therefore done so, as I understood this to be your desire.

The following text is now under consideration:—

(English Print [477 B], p. 13, section (2)). Omit the words "faits de possessions effectives" and "tels que" down to the end of (3); and for (3) substitute the following: "Lorsque les faits et circonstances mentionnés au No. 2, tels que possessions effectives remontant à une époque antérieure à la constitution des droits reconnus en vertu du No. 1, ou acquisitions faites au propriétaire du sol en vue d'obtenir des droits miniers ou exécution de travaux miniers ou d'installations minières, la cour, en cas de concurrence entre demandes présentées en vertu du paragraphe 1 et du 2, peut se prononcer comme aimable compositeur."

This last phrase is derived from article 1019 of the French Code, and, as I am informed, means "make an equitable settlement."

I have not been able to understand why the German delegate so strongly desires to omit the words about effective possessions from 2, and yet allows them to come back by the first part of 3.

He has, however, not yet agreed to this text, but will recommend it. The French and Spanish delegates will accept it, I think.

My belief is that with patience we shall succeed in settling, and M. Aquillon says he also thinks so, but it takes time.

If you have any further instructions to give me, I should be obliged if you could post them so as to reach me on Friday morning by the 8 A.M. Paris delivery. The above paragraphs seem to conform to your previous instructions, and, provided they receive the adhesion of all the other delegates, I propose to accept them, subject to further instructions from you. There are one or two small points outstanding, but not important ones.

I am, &c.
HENRY CUNYNGHAME.

[19593] No. 137.

Sir Edward Grey to Mr. Lister.

(No. 14.)
(Telegraphic.) P. *Foreign Office, June 2, 1910.*

VISIT of ex-Sultan to Egypt. Your telegram No. 35.

It is impossible to give a definite reply before Sir E. Gorst has been consulted, not merely as to attaching suitable person to ex-Sultan, but also generally as to desirability or otherwise of visit in the present state of unrest in Egypt. Abdel Aziz should not proceed pending receipt of an answer from Sir E. Gorst.

[19593] No. 138.

Sir Edward Grey to Sir E. Gorst.

(No. 34.)
(Telegraphic.) P. *Foreign Office, June 2, 1910.*

HIS Majesty's Minister at Tangier telegraphs that the ex-Sultan of Morocco desires to visit Egypt incognito and make a fortnight's stay there. His journey will also include Algeria, Tunis, and Syria. He wishes to leave for Alexandria on the 4th June by Papayani steamer. While he is in French territories the French Government will attach to him a reliable person to act as friendly guide and adviser and prevent him from committing financial or political follies. He asks whether His Majesty's Government could similarly attach someone to him in Egypt who could advise him what to do and see.

Do you see any objection to proposed visit to Egypt, and, if not, could you attach a suitable official to ex-Sultan? We have no reason to believe that he will do anything not in keeping with his character of a private traveller.

[19645] No. 139.

Sir Edward Grey to Sir H. Cunynghame.

(Telegraphic.) P. *Foreign Office, June 2, 1910.*

YOUR despatch of the 1st June: Mining law.

If revised text of article 58 submitted in the above-mentioned despatch is accepted by France you may also agree.

[19970] No. 140.

Note communicated by M. Cambon, June 3, 1910.

LES Ministres de France et d'Angleterre à Tanger ont examiné récemment les conditions dans lesquelles les ressortissants étrangers dans la région de la Chaouïa pourraient être invités à acquitter les impôts agricoles.

Il s'agirait de mettre en vigueur le règlement établi en 1881, d'accord entre le Makhzen et le corps diplomatique.

Le Ministre d'Angleterre s'est déclaré prêt à admettre que la question soit examinée par le corps diplomatique de Tanger, où la discussion pourrait se produire avec plus d'utilité qu'entre les Cabinets.

Le Ministre d'Allemagne y serait également disposé.

Le Gouvernement français verrait avec reconnaissance que l'attitude de Mr. Reginald Lister fût approuvée par son Gouvernement. Les impôts de la Chaouïa perçus par les autorités chérifiennes doivent être employés au paiement des forces de police et aux travaux d'intérêt général.

Ambassade de France, Londres,
le 2 juin, 1910.

[19866] No. 141.

Mr. Lister to Sir Edward Grey.—(Received June 4.)

(No. 88.)

Sir, *Tangier, May 28, 1910.*

WITH reference to my despatch No. 68 of the 1st May, I have the honour to transmit to you herewith copies of the regulations relative to the Commission of Foreign Claims in the final state in which it has been approved by the corps diplomatique and communicated to the Makhzen.

As I stated in my telegram No. 32 of the 25th instant, the Sultan has at length addressed a letter to the Commissioner for Foreign Affairs at Tangier nominating the Moorish delegates to sit on the four sub-commissions under the presidency of Cid Guebbas, and granting to them full powers. His Majesty did not, however, say anything as to the date of the meeting of the sub-commissions or the procedure to be followed, and Guebbas said that he must refer for instructions on these points to Fez. The French Minister protested strongly against this, and on the 26th instant the British, French, German, and Spanish dragomans informed Guebbas that by the engagement given by the Sultan in writing to the French Minister His Majesty had accepted the procedure on which the corps diplomatiqne should decide; they further insisted that he should proceed at once to assign the various delegates named by the Sultan to the four sub-commissions, and that he should take the measures necessary to ensure their beginning work by the 1st June.

Cid Guebbas has now replied appointing eight of the delegates to the four sub-commissions, leaving two delegates in reserve. He does not, however, say anything either of the procedure to be followed or of the date on which the commissions will commence their labours. At a meeting of the corps diplomatique held to-day the matter was discussed, and it was decided to address a collective note to the Commissioner for Foreign Affairs to be drafted by the French Minister.

The representatives of the Powers then proceeded to group the various nationalities into four, the four Powers principally concerned, viz., Spain, France, Germany, and Great Britain each taking a sub-commission. Great Britain, as having the smallest number of claims of the Powers primarily interested, was given Italy,

the most interested of the Powers of the second class, and Holland; Spain, who had by far the greatest number of claims, took Austria; Germany took Portugal and Belgium; and France took the United States and Russia.

We then drew lots to decide which group was to be allotted to each sub-commission, and Great Britain was fortunate enough to draw the one composed of Ali Zaky Bey and Bargash. The latter is tiresome and obstructive, but his disadvantages are more than counterbalanced by the advantages of Ali Zaky Bey, his colleague. The latter is a very intelligent and energetic man, open to conviction, and thoroughly conversant with European ideas and methods; in all the matters which I have had to treat with him he has always shown himself most anxious to meet my wishes.

Lists of their claims will be sent in by representatives of the various Powers to Guebbas as president of the sub-commissions before the 1st June.

I have, &c.
REGINALD LISTER.

P.S.—*May* 29.—M. Regnault has communicated to me the draft of the collective note referred to above which he has sent to the doyen of the diplomatic body. After informing Cid Guebbas of the grouping of the nationalities amongst the four sub-commissions arranged by the corps diplomatique, it continues: "Le corps diplomatique m'a chargé en outre de vous faire savoir que les sous-commissions devront se mettre à l'œuvre le 1er juin prochain pour régler toutes les affaires qui leur seront soumises, et cela conformément au règlement établi, qui vous a été transmis par ma lettre du . . . . Il ne pourrait admettre aucun ajournement ni aucune discussion sur ce point. Il vous prie en conséquence de convoquer sans retard les dites sous-commissions et de faire le nécessaire. Il croit devoir appeler particulièrement votre attention sur la responsabilité que le Makhzen et ses agents ne manqueraient pas d'encourir s'ils ne se mettaient pas en mesure de donner sans autre délai satisfaction aux décisions qui précèdent."

R. L.

Enclosure in No. 141.

Regulation respecting Commission of Foreign Claims.

ARTICLE 1er. La commission chérifienne de vérification des dettes du Makhzen, actuellement constituée à Tanger sous la présidence du représentant du Sultan, recevra de Sa Majesté pleins pouvoirs pour régler définitivement toutes les réclamations étrangères pour des engagements ou des faits antérieurs au 30 juin, 1909. A cet effet, le nombre de ses membres sera porté de deux à dix.

Art. 2. Cette commission se divisera en quatre sous-commissions de deux membres: les deux délégués restant seront appelés à suppléer les membres des sous-commissions empêchés de siéger au cours des travaux.

Art. 3. Chaque sous-commission assumera l'examen et le règlement des réclamations d'un groupe de nationalités, d'après une répartition qui sera arrêtée par le corps diplomatique.

Art. 4. La commission de vérification des dettes makhzéniennes transmettra aux sous-commissions respectives les dossiers de toutes les affaires rentrant dans la catégorie spécifiée à l'article 1er, et dont elle aura été saisie jusqu'au jour de l'ouverture des travaux de la nouvelle commission.

D'autre part, les légations notifieront, séparément et avant cette date, au président de la nouvelle commission la liste complète des réclamations soumises par elles à la présente procédure.

Les légations auront toutefois un délai de trente jours, à compter de la date précitée, pour notifier au président une ou plusieurs listes complémentaires de réclamations, afin de réparer les omissions qu'elles auront été amenées à constater.

Art. 5. Chaque sous-commission examinera les réclamations de son ressort dans l'ordre qui lui sera indiqué par le délégué de la légation intéressée, lequel assistera à toutes les séances et dont la fonction sera de veiller à ce que l'instruction de l'affaire soit régulièrement conduite.

Les réclamants seront tenus de se présenter à l'audience en personne ou par mandataire spécial. Ils exposeront leurs revendications et fourniront les explications qui leur seront demandées: ils auront la faculté de se faire assister d'un avocat et

d'un interprète privé. D'autre part, le mandataire pourra être désigné d'office par la légation intéressée suivant les règles qu'elle croira devoir adopter à l'égard de ses ressortissants.

Art. 6. Il sera procédé par défaut à l'examen et au règlement des réclamations dont les titulaires ne se seront pas présentés. La sentence ainsi rendue sera signifiée au réclamant par sa légation, dans la forme administrative, soit par lettre recommandée s'il réside à l'étranger, soit par l'intermédiaire de l'autorité consulaire intéressée s'il réside au Maroc. Le réclamant pourra en appeler devant la commission arbitrale dans un délai de quarante jours, en consignant le montant des frais d'arbitrage comme il est dit aux articles 18 et 20. Ce délai courra du jour où le réclamant aura reçu la signification en question.

Art. 7. Les réclamations seront instruites suivant les usages locaux et sans qu'il y ait lieu d'appliquer de règles de procédure des législations étrangères.

Art. 8. La cause une fois entendue, la sous-commission délibérera sur l'affaire, en présence du délégué de la légation, et rendra une décision écrite portant règlement.

Art. 9. Toutefois, cette décision ne deviendra acquise et définitive qu'après avoir été communiquée, dans la huitaine, par le délégué de la légation au réclamant et après avoir été expressément acceptée par ce dernier ou son mandataire. Dans ce cas, la légation délivrera à l'intéressé une pièce constatant le règlement intervenu.

Art. 10. Le réclamant qui n'acceptera pas une décision de ce genre aura la faculté d'en appeler, dans un délai de quinze jours, devant une commission arbitrale de deux membres nommés, l'un par le représentant du Sultan à Tanger, l'autre par la légation intéressée. En cas de désaccord sur la sentence à rendre par les deux arbitres, ces derniers désigneront à l'amiable un troisième arbitre, avec le concours duquel ils trancheront l'affaire.

Art. 11. Si la désignation du troisième arbitre ne peut s'effectuer comme il vient d'être dit, ce choix sera dévolu au corps diplomatique.

Art. 12. La décision arbitrale sera signifiée au Makhzen, dans la personne du représentant du Sultan à Tanger et par les soins de la légation intéressée, qui, d'autre part, délivrera au réclamant une pièce constatant le règlement intervenu.

Art. 13. Un délai de quatre mois sera accordé à chaque sous-commission pour régler les affaires de son ressort. Passé ce délai, les affaires restées sans règlement seront, *de plano*, déférées à la commission arbitrale prévue à l'article 10, laquelle devra les régler dans un laps de temps ne dépassant pas trois mois.

Art. 14. A l'issue des travaux de la commission, celle-ci délivrera des titres définitifs aux titulaires des réclamations réglées.

Art. 15. En ce qui concerne les titulaires de créances liquides résultant d'un contrat en due forme ou d'un compte régulièrement arrêté avec le Makhzen, ils se présenteront, dans les conditions indiquées à l'article 5, devant la sous-commission chargée des affaires de leur nationalité, laquelle enregistrera leur créance et leur délivrera un titre définitif.

Art. 16. Si la sous-commission se refuse à l'admission d'une créance de ce genre, l'affaire sera déférée à une commission arbitrale comprenant: 1 délégué chérifien nommé par le représentant du Sultan à Tanger, 1 délégué de la légation intéressée, et 1 délégué de la Banque d'État. La sentence de cette commission sera sans appel.

Art. 17. Les arbitres recevront comme honoraires tant pour cent sur le montant de la réclamation formulée, sans que ces honoraires soient, pour chacun d'eux, supérieurs à 2,000 fr. ni inférieurs à 50 fr.

Chaque légation établira pour ses ressortissants un tarif uniforme en tenant compte de la limitation indiquée ci-dessus.

Les arbitres du Makhzen ne pourront réclamer des honoraires supérieurs à ceux des arbitres des légations.

Art. 18. Le montant des honoraires des trois arbitres sera avancé par le réclamant et restera à la charge de la partie succombante. En cas de condamnation du Makhzen, la somme allouée au réclamant par les arbitres sera majorée du montant des dits honoraires.

Toutefois, les arbitres pourront compenser les frais d'arbitrage en tout ou en partie, si le Makhzen et le réclamant succombent respectivement sur certains chefs.

Art. 19. Au cas où une affaire serait réglée par la commission arbitrale sans l'intervention d'un troisième arbitre, le réclamant récupérerait la somme avancée par lui à titre d'honoraires de ce dernier.

Art. 20. Le montant des honoraires des arbitres devra être déposé par le

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[19585] No. 142*.

Sir Edward Grey to Mr. Lister.

(Telegraphic.) *Foreign Office, June 4, 1910.*

YOUR telegram No. 34.

I agree to your proposal in regard to Menebhi's claim.

réclamant à la Banque d'État, avec affectation spéciale, avant l'ouverture de l'arbitrage.

Art. 21. En ce qui concerne les réclamations dont les titulaires auront fait défaut et qui néanmoins seront déférées à la commission arbitrale en vertu des dispositions de l'article 13, il sera accordé aux intéressés un délai de quarante jours pour effectuer le dépôt des frais d'arbitrage prévu à l'article 20. Passé ce délai, les réclamants qui n'auront pas rempli cette obligation seront considérés comme ayant renoncé définitivement à leur revendication, et la légation intéressée leur signifiera cette déchéance.

Art. 22. Les légations intéressées feront les diligences nécessaires pour la constitution en temps utile des commissions arbitrales prévues aux articles 10 et 16.

Ces commissions fonctionneront conjointement avec les sous-commissions et jugeront sans retard les affaires de leur ressort au fur et à mesure qu'elles seront déférées.

Art. 23. Les réclamants ayant bénéficié, soit de décisions définitives des sous-commissions, soit de sentences des commissions arbitrales prévues à l'article 10, seront mis en possession des sommes qui leur auront été allouées à l'expiration du délai de sept mois imparti à la Commission des Réclamations étrangères pour le règlement de toutes les affaires (article 13). Ces versements seront effectués sur les fonds de l'emprunt et dans la forme adoptée par chaque légation.

Quant aux réclamants dont les affaires n'auront pu être réglées par les commissions arbitrales dans le délai fixé à l'article 13, ils pourront obtenir le versement des sommes qui leur auront été allouées, soit sur le reliquat disponible de l'emprunt, soit sur les disponibilités des ressources générales du Makhzen.

Art. 24. En ce qui concerne les réclamants de la catégorie indiquée à l'article 15 et auxquels auront été délivrés des titres définitifs, ils seront mis en possession du montant de leurs créances, par l'intermédiaire des légations intéressées, dès que le Makhzen pourra disposer des fonds de l'emprunt.

Art. 25. A l'issue du règlement de toutes les réclamations mentionnées à l'article 1er, la commission pourra assumer, suivant la même procédure, l'examen et le règlement des réclamations relatives à des engagements ou des faits survenus entre le 30 juin, 1909, et la date de l'ouverture de ses travaux.

Toutefois, le montant des sommes allouées aux réclamants de cette catégorie ne sera pas prélevé sur les fonds provenant du prochain emprunt.

Tangier, le 25 avril, 1910.

[19997] No. 142.

Sir E. Gorst to Sir Edward Grey.—(Received June 4.)

(No. 34.) *Ramleh, June 4*, 1910.

(Telegraphic.) P.

IN reply to your telegram No. 34 of the 2nd June in regard to the proposed visit to Egypt of the ex-Sultan of Morocco, there is no objection to his coming as a private traveller. Kindly let me know the exact date of his arrival at Alexandria. I will arrange for a suitable official to be attached to him during his stay in this country.

[20137] No. 143.

Mr. Lister to Sir Edward Grey.—(Received June 6.)

(No. 89.) *Tangier, May 30*, 1910.

Sir,

I HAVE the honour to transmit herewith a summary of news for the past week.

I have, &c.

REGINALD LISTER.

Enclosure in No. 143.

Summary of News for Week ending May 30, 1910.

ACCORDING to recent news the situation at Fez remains somewhat critical. The Mehalla operating against the Hiaina tribe has retired towards the capital, and a coalition of the hostile tribes has been effected which will render any advance on Taza out of the question for the present. Since the time of Bu Hamara, Taza has always been the centre of any hostile movement against the Maghzen, and it will be remembered that the latest pretender, Moulai-el-Kebir, is at present in refuge among the tribes of that district. Nothing exact is known as to his actual position, but it appears that he is regarded as the head of the revolutionary movement, though he does not seem to have been actually proclaimed Sultan by the tribes. In any case, the determined front shown by the rebels and the important coalition lately effected amongst them have had a most demoralising influence upon the Government troops, who have been deserting from the Mehalla in large numbers. It is now reported that the Kaïd Meshwar, brother of Ben Aissa, late Governor of Fez, for whose arrest orders had been sent out to the Mehalla, succeeded in making his escape, and has taken refuge amongst the Berber tribes in the direction of Mequines, where his family are very popular. This event will doubtless not tend to the improvement of the Sultan's situation among the tribes.

[20250] No. 144.

Sir H. Cunynghame to Mr. Langley.—(Received June 6.)

Sir, *Hôtel Continental, Paris, Saturday afternoon.*

I AM glad to be able to report that I think the end of our labour is in sight.

This morning the German delegate announced that his Government had authorised him to accept article 58 substantially in the form which I last submitted to you. The French and Spanish delegates also accepted it.

We are to meet on Monday afternoon to settle the protocol and some minor points of the "règlement," and on Tuesday we are to sign the "règlements."

I shall return on Wednesday, and shall be at the Home Office on Thursday.

The instructions already sent me appear to cover all the points that are necessary, but if it is desired to supplement them a telegram or a letter would reach me in time.

I am, &c.
HENRY CUNYNGHAME.

[20278] No. 145.

Sir F. Bertie to Sir Edward Grey.—(Received June 7.)

(No. 217.)
Sir, *Paris, June 6, 1910.*

WITH reference to my despatch No. 193 of the 14th ultimo, I have the honour to transmit to you herewith a copy of a letter addressed to Sir Henry Austin Lee by the managing director of the Union des Mines marocaines, stating that ten shares in the union have been allotted to the firm of William Baird and Co. (Limited), of Glasgow.

I have, &c.
FRANCIS BERTIE.

Enclosure 1 in No. 145.

M. Carbonel to Sir H. Austin Lee.

Union des Mines marocaines, Paris, le 3 juin, 1910.

M. le Conseiller,

SUIVANT le désir que vous m'en avez exprimé, j'ai l'honneur de vous adresser copies de la correspondance échangée entre Mr. Bonar Law, membre du Parlement

anglais, et Mr. And. K. McCosh, directeur de la maison William Baird and Co. (Limited), de Glasgow.

Il m'est très agréable de vous faire connaître que, sur ma demande, notre comité de direction a pu attribuer dix actions de l'Union des Mines marocaines à la maison William Baird.

Veuillez, &c.
L'Administrateur Délégué,
G. CARBONEL.

Enclosure 2 in No. 145.

Mr. McCosh to Mr. Bonar Law.

168, *West George Street, Glasgow, May 27, 1910.*

Dear Mr. Bonar Law,

I BEG to enclose copy of a letter which we have to-day addressed to Mr. Ashley, as advised by Mr. Askwith, of the Board of Trade. The letter explains itself.

If you can further our application for shares in the Union des Mines marocaines, I shall be obliged.

Yours, &c.
AND. K. McCOSH.

Enclosure 3 in No. 145.

Messrs. Baird and Co. to Board of Trade.

Dear Sir, 168, *West George Street, Glasgow, May 27, 1910.*

MR. McCOSH, one of our directors, has been in correspondence with Mr. Askwith with reference to the recent formation of the Union des Mines marocaines, and he has been informed that it had been arranged that the capital of this syndicate should be divided between groups representing various nationalities. He has also learned that, of the portion allocated to the British group, there are still some shares which have not been taken up, and Mr. Askwith has advised us to communicate with you regarding these.

The development of iron mines in Morocco is of particular interest to us as ironmasters and large consumers of iron ore, and we are therefore prepared to take an interest in the syndicate if there are shares open for subscription.

We shall be obliged if you will kindly favour us with such particulars of the syndicate as you may have, and if shares are still available you might let us know to whom we should apply as to subscribing for these.

Thanking you in anticipation, we are, &c.

(For William Baird and Co., Limited),
AND. K. McCOSH,
Director.

[20278] No. 146.

*Sir Edward Grey to Sir M. de Bunsen.**

(No. 59.)
Sir, *Foreign Office, June 9, 1910.*

I HAVE to inform you that ten shares in the Union des Mines marocaines have been allotted to Messrs. William Baird and Co. of Glasgow. It would appear that there are still ten shares in the Union available for British capital.

I am, &c.
E. GREY.

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* Also to Mr. Lister, No. 68.

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[19970] No. 147.

Sir Edward Grey to M. Cambon.

Foreign Office, June 9, 1910.

Your Excellency,

WITH reference to the memorandum which your Excellency was good enough to communicate to me on the 3rd instant, I have the honour to state that His Majesty's Government agree to the proposal that the question of the levy of agricultural taxes in the Showia district of Morocco should be examined by the diplomatic body at Tangier. His Majesty's Minister in Morocco is being informed accordingly.

I have, &c.
E. GREY.

[20687] No. 148.

Mr. Lister to Sir Edward Grey.—(*Received June* 10.)

(No. 90.)

Tangier, June 3, 1910.

Sir,

WITH reference to Sir G. Lowther's telegram No. 43 of the 15th May, 1907, I have the honour to inform you that the foreign representatives have unanimously reappointed Mr. White for a further term of three years as the diplomatic delegate on the Permanent Customs Committee instituted under article 97 of the Algeciras Act.

I have, &c.
REGINALD LISTER.

[20688] No. 149.

Mr. Lister to Sir Edward Grey.—(*Received June* 10.)

(No. 91.)

Tangier, June 3, 1910.

Sir,

IN continuation of my despatch No. 88 of the 28th ultimo I have the honour to transmit herewith copy of the reply addressed by the Commissioner of Foreign Affairs to the letter of the doyen of the corps diplomatique with regard to the date of the meeting of the sub-commission. You will observe that Guebbas states that it is for them impossible to commence work on the 1st June (*i.e.*, the following day), as so far no answer had been received from the Sultan. He begs that a delay may be granted, and states that in the meantime the members of the sub-commission will make all the necessary preparations to avoid delay as soon as the work can begin. (This, at least, is the construction put by the foreign representatives on the somewhat enigmatical final paragraph of Guebbas's letter.)

The matter was discussed at the meeting of the representatives held on Wednesday morning, and we decided to send a verbal message to Guebbas to the effect that his reply was not satisfactory, and that we hoped to hear in a few days that he had given effect to our wishes. The reason for this somewhat tame rejoinder was that the French Minister stated confidentially to us that he thought it was advisable not to provoke any incident until the money had actually been encashed; this he hoped would be done by the 8th or 10th June.

We also discussed vaguely what steps were to be taken should the Sultan, in spite of his promises, either reject the procedure altogether or attempt to discuss one or more of its points, or vouchsafe no reply at all to Guebbas's letter.

Our Italian colleague suggested that he should be told that an international commission would be appointed and the whole matter taken out of the hands of the Makhzen. M. Regnault said that, should the Sultan prove refractory, another meeting would have to be called, and a course decided upon by us which we could submit to our Governments. It would, he thought, be time to do this when we knew that the Sultan intended to raise fresh difficulties. I said that I felt sure that he would yield before pressure, as he had always done before, and that it appeared to me merely a question of settling upon the threat to be employed. My colleagues agreed with this view.

On the following day I had occasion to call upon M. Regnault and met Ali Zaki

Bey and Ci Omar, Guebbas's son-in-law and secretary, coming out. M. Regnault told me that in the course of conversation he had mentioned the hitch that had occurred, and had said that nothing had been actually settled as to the course to be pursued were the work of the sub-commission to be further delayed, but that at the last meeting of the representatives it had been suggested that the simplest plan would be to take the whole matter out of the Sultan's hands, and to appoint an international commission to settle the claims at Tangier and to arrange everything in connection with the loan; of course, he added, no Moors would be allowed to sit on this commission after the obstruction of the Makhzen, which would have driven the Powers most reluctantly to such a course. M. Regnault was rubbing his hands at the impression which his remarks, uttered, he said, in the most airy manner, had produced upon the two gentlemen in question, who were quite certain to report them to Guebbas and ultimately to Fez.

Ali Zaki Bey called on me the other day to express his pleasure at having been called upon by a happy stroke of fortune to deal with the British claims, and assured me that I could count upon his diligence and his "bonne volonté." I should, he said, have occasion to be thoroughly satisfied with my sub-commission, as he could answer for being able to overcome any obstruction on the part of Fatmi Bargash.

I have, &c.
REGINALD LISTER.

P.S.—*5th June*, 5 P.M. I have just received a letter from the doyen, enclosing translation of a note which Guebbas had sent him, to the effect that the Sultan agrees to the sub-commissions beginning their work in accordance with the "règlement" submitted to him by the corps diplomatique.

Enclosure in No. 149.

Mohammed Guebbas to Dean of the Diplomatic Body.

(Traduction.)

Louange à Dieu seul!

(Traduction.)

Louange à Dieu seul!

(Après compliments.)

VOTRE lettre en date du 30 mai courant, au sujet des travaux de la commission, nous est parvenue hier après le coucher du soleil. Entre ce que vous nous exposez vous nous dites que l'honorable corps diplomatique a chargé votre Excellence de nous informer que les sous-commissions susdites devront se mettre à l'œuvre dès le 1er juin, soit à la date de demain.

Nous sommes saisis de ce que vous nous exposez et avons pris note. Votre Excellence n'ignore pas que se mettre à l'œuvre demain, ayant reçu votre lettre hier, et étant dans l'attente de la réponse chérifienne en ce qui concerne ces travaux, n'est pas possible; il nous est difficile alors de satisfaire l'honorable corps diplomatique.

En conséquence, nous prions leurs Excellences et vous parmi eux de donner aux sous-commissions susdites un délai, en attendant que la réponse chérifienne arrive, et ses membres ont commencé dès maintenant à prendre les mesures nécessaires pour se réunir, afin qu'il n'y ait pas perte de temps après le commencement des travaux.

MOHAMMED GUEBBAS.

Tangier, le 31 *mai*, 1910.

[20689] No. 150.

Mr. Lister to Sir Edward Grey.—(*Received June* 10.)

(No. 92.)

Tangier, June 5, 1910.

Sir,

THE reports which reach me from various parts of the interior all tend to prove that the situation, as far as the Sultan is concerned, is going from bad to worse.

His Majesty's consul at Fez, writing on the 31st ultimo, tells me that the rumours of Moulai-el-Kbir having been proclaimed by the Taza tribes are pretty generally confirmed. He evidently has the support of the tribes, and information has reached the French Minister, from what he considers a reliable source, that the Ait Yusi, the Hiaina, the Dsul, the Branes, the Riata, and the Beni Warrain have all combined to attack, and if possible destroy, the Shereefian Mehalla. The discontent existing

in the latter is very great owing to the irregularity of their pay, and the fact that the food allowance which was obtained for them by the French military mission about a year ago has been abolished.

M. Regnault also told me that Abdel Malek Muhieddin, the son of the great Abdel Kader, was reported to be very active in the Taza region. I told M. Regnault that I supposed he knew that the man in question was popularly believed to be employed by the French to create difficulties for Moulai Hafid. He replied that he did not require any instigation from them, as he hated Hafid with a deadly hatred ever since his humiliation and arrest by the latter's orders when he was in command of the Mehalla operating near Alcazar.

The French vice-consul reports from Tetuan that the basha has arrested some forty mountaineers belonging to the tribes of Sheshawan, who had refused to comply with the extortionate demands of the Government; that the tribes are in a state of great excitement in consequence, and that the approaches to the town on that side are blocked.

Trouble also seems brewing in the Alcazar district. Mr. Consular Agent Carleton reports that news reached Alcazar some ten days ago that Raisuli had been been appointed basha in the place of the notorious Kaïd R'miki. This alarmed the latter, who promptly packed up all his valuables and left with his family for his village. A meeting of the Khlot tribe appears to have been called in the neighbourhood of Alcazar, at which it was decided that the tribe would not accept Raisuli, and on the 31st some 200 horsemen, commanded by R'miki's brother, arrived at Alcazar. R'miki himself was expected to join them immediately, and rumours had it that Raisuli intended to arrive the following day; this looked serious, and a struggle seemed inevitable. I have not, however, received any news, and Menebhi doubts R'miki making any armed resistance to Raisuli, although he will no doubt intrigue at Fez to get himself maintained as basha. Mr. Carleton tells me that he found out from the Spanish consul at Laraiche, who had been at Alcazar, that Spanish protection had been given to R'miki on the ground that he had done good service to Spain. The Spanish consul himself had carried on this negotiation with Madrid. This really is rather a strong order, as the Germans even never went so far as to give R'miki protection at the time when they were using him for all he was worth against Abd-el-Aziz and the French. The Spaniards are, however, perfectly shameless in the matter of protection, or rather nationality, for they grant full nationality to Moors who have never set foot in Spain. Both Mr. Bewicke and the French vice-consul report that at Tetuan they have been particularly lavish in this respect.

I have, &c.

REGINALD LISTER.

[20690] No. 151.

Mr. Lister to Sir Edward Grey.—(*Received June* 10.)

(No. 93.)

Sir, *Tangier, June* 5, 1910.

WITH reference to my despatch No. 82 of the 22nd ultimo, I have the honour to transmit to you herewith translation of the note which the Sultan has addressed to the dean of the diplomatic corps, stating that the punishments inflicted on the partisans of Bu Hamara, which were necessary at the time, are no longer in season, and must be forgotten! His Majesty goes on to state that he has decided not to inflict any punishment in future which could unfavourably affect the feelings of the Powers towards him, and that he will in this respect follow the procedure adopted by the various civilised Mahommedan Powers and by the foreign Governments most conspicuous for their feelings of humanity.

I feel convinced that this note has been written with a view to inducing His Majesty's Government to receive a Moorish mission.

Notwithstanding his promises to turn over a new leaf in questions of humanity, by which he no doubt hopes to mollify His Majesty's Government, his attitude in other matters shows no improvement, and I am addressing a strong note to the Makhzen on the subject.

I have commenced by saying that I had hoped at the outset of the reign of King George to be able to inform His Majesty that the attitude of the Makhzen towards his representative was satisfactory, that my just demands received the same consideration

as in the past, and that the Moorish Government were ready to fulfil their obligations. Unfortunately, I said, it was impossible for me to do this, and I then recapitulated the various grounds of complaint I have had against the Makhzen during the past year. I have concluded by stating that nobody deplored this state of affairs more than I did, but that, as I had told the Sultan at Fez when he expressed regret that the bonds of friendship which had united our two countries for centuries had tended recently to slacken, I could only repeat that friendship could not be all on one side, and that so far proofs of it on the side of the Makhzen were conspicuous by their absence.

I discussed with the French Minister the advisability of sending in a note of this nature, and he was very strongly in favour of my doing so. Guebbas also, as I told you in my despatch No. 84 of the 25th ultimo, thought that it might prove useful, so I decided to wait no longer, and it will be handed to Guebbas to-morrow for transmission to Fez.

One of my principal causes for complaint is the manner in which the Makhzen have treated my representations with regard to the restoration of Menebhi's properties. As soon as I received your telegram of yesterday's date, I told Menebhi to prepare a statement of their value, which he will present to the sub-commission under article 15 of the "règlement" drawn up by the diplomatic body. I shall merely notify the Makhzen that I have instructed him to do this, having failed to obtain a settlement by the diplomatic channel.

I have, &c.

REGINALD LISTER.

Enclosure in No. 151.

Mohammed Guebbas to the Dean of the Diplomatic Body.

(Après compliments.)

CONFORMÉMENT aux sentiments innés de noblesse de caractère de Sa Majesté chérifienne, qui sont la base de toute humanité et le fondement de toute bonne qualité humaine, d'accord avec le grand désir dont est animée et sera toujours animée Sa Majesté chérifienne d'améliorer, d'augmenter, et de consolider les relations amicales et les liens sincères avec toutes les Puissances respectables, amies, Sa Majesté chérifienne m'a ordonné d'écrire à votre Excellence afin que les honorables représentants des Puissances, et vous parmi eux, soient convaincus que Sa Majesté chérifienne a l'intention ferme de ne pas outrepasser la voie de l'humanité, qui est conseillée par la religion musulmane et qui est observée par les Gouvernements civilisés, en ce qui regarde la punition des criminels dans son Empire heureux, vu que Sa Majesté chérifienne voit que les circonstances qui avaient rendus nécessaire la punition des partisans du rebelle Bou Hamara de la manière dont elle leur a été infligée conformément à l'état alors ne sont plus de saison et que l'oubli s'impose.

En outre, Sa Majesté chérifienne est décidée à ne pas appliquer aucune punition qui puisse porter atteinte aux sentiments de confiance des Puissances étrangères envers Sa Majesté chérifienne; au contraire, dans le cas que les sujets de Sa Majesté chérifienne commettraient des actions qui comportent leur punition, celle-ci sera appliquée conformément à la mode adoptée par les différentes Puissances islamiques civilisées et par les Gouvernements étrangers qui se distinguent par leurs sentiments d'humanité; et c'est sur ce procédé que Sa Majesté chérifienne a établi sa bonne et sincère intention, espérant de Dieu l'accomplissement de cette intention de la manière désirée, comme elle prie Dieu de revêtir tous les sujets de son Empire des manteaux du repos et de la tranquillité et à faire ce qui revient au bien de la nation et au développement favorable du pays avec l'aide de Dieu et son appui.

Je viens donc, conformément à l'ordre de mon Maître, l'Imam victorieux, d'écrire cette lettre à votre Excellence, afin que vous en prenniez connaissance et que vous vouliez bien la communiquer à leurs Excellences MM. les représentants des Puissances étrangères.

MOHAMMED GUEBBAS.

Tanger, le 21 *mai*, 1910.

[20735] No. 152.

Sir H. Cunynghame to Foreign Office.—(*Received June* 10.)

Home Office, June 9, 1910.

Sir,

I HAVE the honour to inform you that on the 7th June the representatives of the four Powers signed the projet and protocol which I enclose.

The form is substantially in accordance with that indicated in my letter to you. The French and Spanish delegates are of opinion that Article 58 now affords a satisfactory basis for a reference of the various competing claims to mining rights in Morocco. In accordance with your instructions I added a clause to 11 of the protocol.

I am, &c.

HENRY CUNYNGHAME.

Enclosure in No. 152.

Protocole d'une Conférence tenue à Paris en novembre 1909 *et mai–juin* 1910 *pour l'Examen d'un Projet de Règlement sur les Mines au Maroc.*

LES soussignés, désignés par leurs Gouvernements respectifs, à savoir :—

Pour l'Allemagne, M. E. Haber, Conseiller supérieur intime de Gouvernement ;
Pour l'Espagne, M. Fernando de Los Villares y Amor, Inspecteur général des Mines de première classe ;
Pour la France, M. Louis Aguillon, Inspecteur général des Mines de première classe ;
Pour la Grande-Bretagne, Sir Henry Cunynghame, Sous-Secrétaire d'État au Ministère de l'Intérieur ;

Ont été délégués par leurs dits Gouvernements à l'effet d'examiner en commun un projet de Règlement minier pour le Maroc, qui leur a été communiqué dans les conditions et circonstances suivantes :—

L'article 112 de l'Acte d'Algésiras a stipulé que—

"Un firman chérifien déterminera les conditions de concession et d'exploitation des mines, minières, et carrières. Dans l'élaboration de ce firman le Gouvernement chérifien s'inspirera des législations étrangères existant sur la matière."

Pour faire sortir effet à cette disposition, le Sultan Abdul Aziz, par lettres du 23 juin, 1908, adressées à son représentant à Tanger et au doyen du corps diplomatique, fit inviter M. Porché, l'ingénieur des Travaux Publics à Tanger, à préparer, d'entente avec les représentants des Puissances, le texte de ce document pour être ensuite soumis au Maghzen ; et par lettre du 20 août, 1908, le doyen du corps diplomatique fit connaître au Maghzen que le texte de la Loi minière devrait être simultanément communiqué au corps diplomatique de Tanger pour que celui-ci pût s'assurer, avant sa promulgation, qu'il était bien conforme à l'article 112 de l'Acte d'Algésiras.

C'est le projet de règlement que M. l'Ingénieur Porché a ainsi préparé qui a été officieusement communiqué aux quatre Puissances représentées à la présente conférence et que ces Puissances ont jugé opportun de faire examiner en commun par les soussignés.

Les soussignés, après en avoir délibéré à Paris successivement en novembre 1909 et mai–juin 1910, sont tombés d'accord pour reconnaitre que, pour se conformer au mieux à l'article 112 de l'Acte d'Algésiras et tenir un compte suffisant des particularités du Maroc, le règlement prévu au dit Acte pourrait être rédigé suivant le texte qu'ils joignent au présent protocole, sous le bénéfice des observations qui suivent :—

I.

1. A l'occasion de l'article 56, relatif à l'imputation des taxes minières, M. le délégué de l'Espagne fait observer qu'il espère que l'on conciliera l'application de cet article dans les régions environnant Melilla avec la situation provisoire où ces régions se trouvent actuellement ;

2. A l'occasion de l'article 72, M. le délégué de l'Espagne fait observer qu'il doit réserver l'opinion de son Gouvernement au sujet de la monnaie ayant cours légal au Maroc.

II.

A l'occasion de l'article 62, M. le délégué de l'Allemagne fait observer que pour lui cet article a ce sens et cette portée qu'il ne s'applique pas aux simples permis de recherche qui seraient reconnus ou attribués par la cour d'arbitrage et dont les intéressés pourraient par conséquent disposer librement.

M. le délégué de la Grande-Bretagne fait observer de son côté que pour lui on doit prendre l'article 62 dans son sens naturel comme empêchant la possession des droits d'exploitation sur plus de 60,000 hectares pour toute personne ou société.

III.

Les délégués présentent en outre les observations suivantes :—

1. Dans certaines dispositions telles notamment que l'article 6, l'article 32, paragraphe 2, les articles 70 et 73, les délégués ont dû s'occuper de questions qui, par certains côtés, relèvent moins du droit minier que du droit international et des traités, ce qui entrerait plutôt dans la compétence diplomatique que dans la leur ; étant entendu au surplus que le firman chérifien sur les mines doit respecter toutes les stipulations de l'Acte d'Algésiras et, le cas échéant, notamment les articles 30, 66, paragraphe 8, et 103.

2. Pour d'autres dispositions d'ordre spécialement minier, certains délégués ont cru devoir renoncer à des solutions qui, en d'autres pays, auraient eu leurs préférences personnelles pour accepter des propositions qui ont paru plus appropriées aux conditions spéciales du Maroc.

3. En proposant les redevances minières mentionnées dans le firman, les délégués entendent que l'industrie des mines au Maroc ne sera pas assujettie à un autre genre de redevances proportionnées et n'aura pas notamment à supporter de droits de douane à l'exportation ; de pareils droits paraîtraient inacceptables aux soussignés avec le type de redevance proportionnée par eux proposée ; les soussignés signalent d'ailleurs que les taxes, tant superficiaires que proportionnées, proposées dans le firman sur les mines, et leurs modifications éventuelles dans l'avenir, peuvent soulever, au point de vue de leur application aux étrangers, des questions d'ordre diplomatique que les délégués n'ont pas eu la prétention de résoudre.

Du reste, les soussignés estiment que doit être libre, par les frontières de terre et de mer du Maroc, l'exportation des substances minérales auxquelles s'applique le firman.

Les soussignés pensent d'ailleurs que les taux de la redevance proportionnée et des redevances superficiaires pourraient être relevés à l'effet de créer pour le service des mines des ressources plus effectives en vue de mieux assurer le développement et la sécurité du pays auxquels l'exploitation des mines est plus spécialement intéressée.

4. Pour se conformer à toutes les législations sur les mines, les soussignés ont indiqué, dans les articles 64 à 66, les sanctions pénales qui, en conformité de ces législations, devraient assurer l'application de la loi. Il appartiendra aux Gouvernements représentés à Tanger de prendre les mesures nécessaires pour assurer éventuellement l'application de ces dispositions à leurs nationaux et ressortissants.

5. Les délégués signalent, à l'occasion des articles du projet de Règlement minier, qui visent, dans certains cas, l'application pour les mines du Règlement sur l'Expropriation pour cause d'utilité publique, la convenance qu'il peut y avoir à étendre à cet objet l'application de ce dernier règlement dans les conditions prévues à l'article 114 de l'Acte d'Algésiras.

6. Les délégués ont pensé qu'ils devaient laisser les Puissances représentées à Tanger fixer, d'entente avec le Maghzen, le mode d'intervention du corps diplomatique soit pour la promulgation du Règlement sur les Mines, soit pour ses modifications ultérieures ; en signalant notamment l'utilité de fixer le délai d'application des taxes originaires et leur revision ultérieure dès que l'expérience aura fait mieux connaître les circonstances propres aux mines du Maroc.

Les délégués signalent en outre l'opportunité qu'il pourra y avoir de provoquer et d'effectuer la revision de certaines clauses du règlement par eux présenté par suite des décisions qui pourraient être rendues par la cour d'arbitrage prévue à l'article 58 du dit projet.

7. Les délégués signalent l'utilité qu'il y aurait à ce que les indemnités qui seraient mises à la charge du Maghzen par la cour d'arbitrage pussent être comprises dans celles à imputer sur les fonds de l'emprunt qui vient d'être contracté.

8. Il appartiendra au Service des Mines d'apprécier et de provoquer, avant que le firman entre en application, les mesures provisoires que pourraient présenter des cas spéciaux résultant de faits d'exploitation qui pourraient exister.

Ainsi arrêté, en quatre expéditions, dont une pour chacun des délégués.

Paris, le 7 juin, 1910.

Le délégué de l'Allemagne,
E. HABER,

Le délégué de l'Espagne,
FERNANDO DE LOS VILLARES.

Le délégué de la France,
L. AGUILLON.

Le délégué de la Grande-Bretagne,
HENRY CUNYNGHAME.

Projet d'un Règlement sur les Mines au Maroc.

TITRE Ier.—*Dispositions générales.*

ARTICLE 1er.

LE présent firman, édicté en conformité de l'article 112 de l'Acte d'Algésiras, a pour objet de déterminer les conditions de la recherche et de l'exploitation des mines dans l'Empire chérifien tant par les sujets marocains que par les étrangers.

ARTICLE 2.

Sont considérés comme mines pour l'application du présent firman les gîtes naturels des substances minérales et fossiles suivantes :—

Minerais d'où s'extraient tous métaux ou combinaisons métalliques ; minerais de soufre ou d'arsenic ; sels solubles ou associés à ces divers minerais.
Graphites et combustibles fossiles à l'exclusion de la tourbe ; hydrocarbures libres ou incorporés à des gangues.
Terres rares, telles que celles de zirconium, thorium, cérium.
Nitrates, borates, et sels associés.
Phosphates.
Sels gemmes et de potasse, et autres sels associés.
Sources et eaux salées souterraines d'où l'on peut extraire du sel.

Le droit d'exploiter ces substances ne peut être acquis qu'en vertu d'un permis accordé dans les formes prévues au Titre III du présent firman, après institution préalable d'un permis de recherche exclusif délimitant les droits de l'explorateur conformément aux dispositions du Titre II.

Les permis de recherche et d'exploitation donnent droit dans les limites de leurs périmètres et indéfiniment en profondeur, à toutes les substances classés dans les mines, sous réserve des dispositions relatives aux nitrates, phosphates, sources et eaux salées, souterraines, sels gemmes et de potasse prévues à l'article 61 ci-après.

L'exploitation des pierres précieuses est réservée à Sa Majesté chérifienne ; elle aura lieu dans les conditions prévues à l'article 57 ci-après.

ARTICLE 3.

Sont considérés comme carrières les gîtes de substances minérales non classées dans les mines, notamment les gîtes de matériaux de construction, d'empierrement, et d'amendements pour la culture des terres.

L'exploitation des carrières ainsi que des tourbières est laissée à la disposition des propriétaires du sol ; elle est soumise à des règlements de police pour assurer la sécurité.

Le Maghzen aura le droit, pour l'exécution des travaux d'utilité publique, d'exploiter ou de faire exploiter les carrières appartenant à des particuliers en conformité des règlements sur les carrières et sur les occupations temporaires.

ARTICLE 4.

En cas de contestation sur la classification légale d'une substance ou d'un gîte, il est statué par un firman chérifien rendu sur avis conforme du Service des Mines.

ARTICLE 5.

Les permis de recherche et d'exploitation accordés en vertu du présent firman ne peuvent faire obstacle aux usages coutumiers dont bénéficieraient les indigènes pour l'extraction de certaines substances par travaux superficiels. Toutefois, les titulaires de permis d'exploitation peuvent être affranchis, pour tout ou partie de leur périmètre, des servitudes résultant de ces droits coutumiers moyennant le paiement aux intéressés d'une indemnité fixée, à défaut d'entente amiable, par le Service des Mines.

ARTICLE 6.

Le présent firman établit les droits et obligations des explorateurs et exploitants envers le Maghzen et les tiers, notamment les propriétaires et possesseurs du sol.

Le Maghzen prêtera aux explorateurs et exploitants son appui dans toute la mesure du possible. Toutefois, et sous réserve des droits internationaux et des traités, il ne sera pas responsable des difficultés occasionnées par l'application du présent firman, sauf s'il y a faute ou négligence manifeste de la part des fonctionnaires chérifiens. Dans le cas où il serait reconnu qu'une indemnité peut être accordée, la réparation des dommages causés aux personnes ainsi qu'aux biens engagés dans les entreprises minières sera, à défaut d'entente amiable, réglée en conformité de l'article 70 ci-après.

ARTICLE 7.

En cas de retard ou d'interruption dans l'exercice de leurs droits par suite de difficultés qui ne seraient pas de leur fait, les obligations des intéressés envers le Maghzen, après dues justifications fournies par eux en temps utile, seront suspendues pendant la durée de ce retard ou de cette interruption et les intéressés auront droit, s'ils le demandent, à une prorogation de leurs droits pour une durée égale à celle de ces retards ou interruptions.

ARTICLE 8.

La recherche et l'exploitation des mines peuvent être effectuées dans les conditions fixées au présent firman par tout individu ou par toute société régulièrement constituée.

Les demandes présentées au nom d'une société ne sont recevables que si elles sont accompagnées des pièces justifiant de la constitution légale de la société.

ARTICLE 9.

Tout individu ou le mandataire qu'il aurait régulièrement constitué pour agir en son lieu et place, ainsi que le représentant que toute société est tenue de désigner, doivent, pour l'application du présent firman, avoir fait et notifié au Service des Mines élection de domicile au Maroc dans l'une des villes suivantes, à savoir :—

Les ports ouverts au commerce extérieur et les villes de Fez, Marrakech, El Ksar, et Oudjda, ainsi que toutes autres villes qui seraient ultérieurement désignées par décision du Maghzen.

Toutes notifications relatives à l'application du présent firman seront valablement faites aux intéressés au domicile ainsi élu ; à défaut d'élection de domicile, notification sera valablement faite : pour les sujets marocains, au représentant du Maghzen à Tanger ; pour les sujets étrangers, à leur légation.

ARTICLE 10.

Les fonctionnaires du Gouvernement chérifien et les fonctionnaires de carrière des Puissances étrangères en fonctions au Maroc, à quelque classe qu'ils appartiennent, ainsi que leurs parents, ne peuvent, dans toute l'étendue de l'Empire, obtenir, directement ou indirectement, le droit de rechercher ou d'exploiter des mines ni devenir mandataires ou représentants des intéressés dans ces affaires.

Tous actes faits en opposition à cette disposition sont nuls et de nul effet.

TITRE II.—*Des Recherches.*

ARTICLE 11.

Les recherches de mines sont libres dans tout l'Empire chérifien sous l'observation des dispositions du présent règlement, sans que l'explorateur puisse disposer des substances classées dans les mines, abattues dans ses travaux, à moins d'avoir obtenu un permis exclusif de recherche dans les conditions prévues au présent titre.

ARTICLE 12.

Le droit exclusif de recherche en périmètre réservé, s'acquiert à la priorité de la demande régulière en la forme qui en a été remise au Service des Mines.

ARTICLE 13.

Le périmètre réservé est un cercle dont le rayon, fixé par l'intéressé, ne peut dépasser 3 kilom.

ARTICLE 14.

Toute demande de permis de recherche doit, à peine de nullité, être précédée par la désignation matérielle sur le sol du centre du périmètre demandé.

A cet effet il doit être établi, au centre du cercle, un signal avec une inscription faisant connaître la date de la pose du signal, le rayon du cercle et le nom du permissionnaire.

Le signal doit être maintenu en bon état pendant toute la durée du permis.

ARTICLE 15.

Pour être recevable la demande doit faire connaître—

Les nom, prénoms, profession, et domicile du demandeur ainsi qu'éventuellement du représentant qu'il aura à ce spécialement mandaté ;
Et, pour une société, sa désignation et le domicile élu de son représentant ;
Une déclaration du demandeur certifiant la pose du signal et indiquant la date à laquelle il a été posé ;

Toutes pièces justificatives devront être jointes pour établir l'identité et le domicile des individus intervenant comme demandeurs ou représentants et la validité du mandat pour ces derniers.

La demande fait en outre connaître—

Le rayon du cercle et la désignation précise de son centre par rapport à des points fixes de la surface avec les plans ou croquis nécessaires à cet effet. Ces plans et croquis seront dûment orientés et seront dressés à l'échelle de 1 : 20,000e.

A la demande doivent en outre être annexés—

Un récépissé constatant le versement à la Banque d'État d'une somme égale à la redevance superficiaire due pour la première année de recherches ;
Un exemplaire, dans la partie utile, d'une carte publiée du Maroc, au 250,000e au moins, ou à défaut la reproduction à cette échelle au moins d'une carte publiée à l'échelle de 500,000e au moins, avec la représentation sur cette carte du cercle sollicité et des lignes définissant son centre.

Pour chaque cercle sollicité, il doit être présenté une demande distincte.

ARTICLE 16.

La demande doit être déposée au bureau du Service des Mines et enregistrée immédiatement, contre récépissé, sur un registre spécial, avec l'indication de la date et de l'heure du dépôt. Le récépissé fait connaître ces indications.

L'ordre de priorité est déterminé par l'ordre d'inscription sur ce registre.

Le Service des Mines peut faire compléter les demandes qui présenteraient de simples lacunes de forme, sans que l'intéressé perde son droit de priorité s'il fournit les renseignements à lui demandés dans le délai qui lui est à ce imparti.

ARTICLE 17.

Le permis de recherche est délivré par le Service des Mines, ou celui-ci fait connaître à l'intéressé le motif légal qui ne permet pas de le lui délivrer.

Le Service des Mines est tenu de communiquer à tout requérant la liste des permis accordés et la carte sur laquelle ils doivent être figurés.

ARTICLE 18.

Le permis ne confère de droits à l'intéressé que dans la partie du cercle qui ne porte ni sur des permis d'exploitation, ni sur des cercles antérieurs légalement détenus tant que ces droits sont encore en vigueur.

A toute époque l'explorateur peut demander au Service des Mines de constater la partie du cercle sur lequel portent ses droits, à condition de supporter les frais de la vérification et d'en consigner le montant par avance.

ARTICLE 19.

L'explorateur à le droit de faire dans la zone qui lui est attribuée toutes les installations et tous les travaux qu'il juge utiles à la reconnaissance ou à l'étude des gîtes. Il pourra disposer librement des produits concessibles provenant de ses travaux, moyennant paiement des redevances prévues à l'article 49, après qu'il en aura fait la déclaration au Service des Mines.

ARTICLE 20.

Le permis est valable pour trois années grégoriennes à compter de la date de sa délivrance.

A l'issue de ces trois ans, le même attributaire, s'il n'a pas demandé un permis d'exploitation, ne peut, pendant trois ans, se faire délivrer un nouveau permis sur les mêmes terrains.

ARTICLE 21.

L'attributaire doit payer par année et par avance une taxe fixe de 15 centimes par hectare de terrain compris dans son cercle de recherche.

En aucun cas, la redevance annuelle ne peut être inférieure à 250 fr. par permis ; il ne peut être accordé aucun dégrèvement, même si le permis ne donne pas de droits effectifs sur toute l'étendue du périmètre demandé.

ARTICLE 22.

La taxe doit être payée par année.

Faute par le permissionnaire en retard d'avoir payé le terme dû dans le mois de l'avis à lui signifié par le Service des Mines, le permis est annulé par le Service des Mines.

ARTICLE 23.

Le permis de recherche en périmètre réservé constitue un droit mobilier.

Il peut être cédé et transféré comme tous droits mobiliers.

Toute cession ou tout transfert doit être notifié au Service des Mines et donnera lieu, outre les taxes ordinaires sur la cession des droits mobiliers, à une taxe spéciale de 300 fr., qui doit être versée à la Banque d'État. Le récépissé est joint à l'avis de transfert donné au Service des Mines.

La cession partielle d'un cercle est interdite.

ARTICLE 24.

A toute époque le permissionnaire peut renoncer à son permis sur simple déclaration notifiée au Service des Mines, sans avoir droit à aucun remboursement des taxes par lui payées.

L'effet de la renonciation part du dépôt de la demande de renonciation au Service des Mines.

Le permissionnaire doit, à la renonciation comme à la déchéance ou à l'expiration de son permis, faire disparaître le signal du centre.

ARTICLE 25.

Lors de l'abandon d'un permis, pour quelque cause que ce soit, l'intéressé peut retirer tous les objets lui ayant appartenu ; mais il ne peut ultérieurement réclamer aucun droit ni privilège pour les travaux par lui exécutés, sauf ce qui sera dit à l'article 61 pour l'inventeur d'un gîte de phosphate, de nitrate, ou de sel gemme.

TITRE III.—*De l'Exploitation.*

ARTICLE 26.

Le permis d'exploitation d'une mine est concédé par firman chérifien.

ARTICLE 27.

Le permis d'exploitation ne peut être demandé et obtenu que par le titulaire d'un permis de recherche en périmètre réservé non périmé au moment de la demande.

ARTICLE 28.

L'étendue du permis d'exploitation sera de 1,000 hectares au plus et de 100 hectares au moins.

Son périmètre aura la forme d'un rectangle dont les côtés seront orientés nord–sud et ouest–est, le petit côté n'étant pas inférieur au quart du grand.

Le rectangle devra être compris pour les trois quarts au moins dans les limites du périmètre de recherche ; il ne pourra, sans le consentement des intéressés, empiéter sur des terrains pour lesquels un tiers aurait des droits antérieurs de recherche ou d'exploitation.

Avec l'autorisation du Service des Mines, le périmètre du permis d'exploitation pourra recevoir une autre forme ou orientation.

ARTICLE 29.

La demande de permis d'exploitation doit être déposée au Service des Mines avec toutes les justifications nécessaires ; elle est accompagnée d'un plan au 10,000e portant l'indication du périmètre originaire de recherche et du périmètre d'exploitation sollicité avec toutes les données nécessaires à la reconnaissance et à l'identification des bornes qui ont dû être posées aux sommets du périmètre par les soins de l'impétrant.

Le Service des Mines fait compléter, dans le plus bref délai possible, les demandes qui présentent des irrégularités de forme.

ARTICLE 30.

La demande qui est tenue à la disposition du public dans les bureaux du Service des Mines est portée à la connaissance du public par des avis publiés dans les journaux dans les conditions prévues à l'article 55 ci-après.

Le public est avisé de même, au moins un mois à l'avance, de la date à laquelle le Service des Mines procédera sur place à une enquête pour reconnaître la régularité de la demande et vérifier ou faire rectifier le bornage du périmètre demandé.

Le caïd ou le pacha est directement averti par le Service des Mines.

Les frais de l'instruction sont à la charge du demandeur. Dans le délai de quinze jours à compter du dépôt de la demande, le demandeur consignera la somme nécessaire pour faire face à ces frais, faute de quoi il ne serait pas donné suite à la demande.

ARTICLE 31.

Sur le vu du dossier, il est définitivement statué par un firman chérifien, qui fixe la délimitation du permis.

Si le permis doit être refusé pour des motifs légaux, notification en est donnée par le Service des Mines à l'intéressé. Celui-ci est également avisé des cas où, pour des motifs de sécurité publique, et notamment par application de l'article 73 ci-après, on ajourne l'octroi du permis.

ARTICLE 32.

Le permis d'exploitation confère le droit d'effectuer dans le périmètre du dit permis, en se conformant aux dispositions du présent firman, tous les travaux jugés utiles à l'exploitation des substances classées dans les mines et le droit de disposer librement des dites substances ainsi extraites.

ARTICLE 33.

Avant que lui soit délivré le titre instituant le permis d'exploitation, l'intéressé, sur l'avis qui lui en est donné par le Service des Mines, doit justifier du versement à la Banque d'État d'un droit fixe de 500 fr.

Faute par lui de justifier de ce versement dans le délai imparti, le firman d'institution sera annulé. Notification en sera faite à l'intéressé par le Service des Mines.

ARTICLE 34.

Le permis d'exploitation constitue un droit mobilier, cessible, et transmissible comme tous autres droits mobiliers.

Toute cession ou tout transfert doit être notifié au Service des Mines dans les conditions prévues à l'article 23 ; toutefois le droit spécial de mutation sera de 500 fr.

Tant que la cession ne sera pas devenue définitive, le titulaire actuel du permis d'exploitation restera seul responsable à l'égard du Maghzen de l'exécution des prescriptions du présent firman.

ARTICLE 35.

Le titulaire d'un permis d'exploitation doit payer par semestre, en janvier et juillet, une taxe fixe annuelle par hectare de 1 fr. la première année, 2 fr. la seconde année, et 2 fr. 50 c. à partir de la troisième année.

La taxe sera due à partir du 1er janvier ou du 1er juillet qui suivra la remise du firman d'institution.

En cas de retard et deux mois après avis notifié par le Service des Mines, la déchéance sera prononcée par le Service des Mines.

La mine déchue est, par les soins du Service des Mines, et après avis donné au public, vendue en adjudication publique avec toutes ses dépendances et installations, y compris les voies de communication qui y sont exclusivement rattachées, au profit de l'exploitant déchu ou de ses créanciers. La somme provenant de l'adjudication est consignée à la Banque d'État pour être répartie à qui de droit après déduction de tous les frais avancés par le Service des Mines pour arriver à l'adjudication.

En aucun cas l'adjudication ne peut avoir lieu au-dessous de la somme nécessaire pour couvrir ces frais.

Dès la signification de la déchéance il est interdit à l'exploitant de détourner ou enlever de la mine ou de ses dépendances tout objet placé à demeure ou non, en dehors des simples approvisionnements, à peine d'être poursuivi personnellement à la requête de l'adjudicataire pour tout détournement fait en opposition avec la présente disposition.

Le Service des Mines peut, dès la déchéance prononcée et notifiée, faire placer la mine en sequestre pour assurer l'exécution de la disposition qui précède.

Si après deux tentatives à un mois d'intervalle la mine n'a pas été adjugée, le permis est annulé par firman chérifien ; le Service des Mines fait enlever les bornes, et les terrains deviennent libres comme si la mine n'avait pas été instituée, l'attributaire pouvant toutefois disposer de toutes les installations de surface par lui établies.

ARTICLE 36.

A toute époque le titulaire d'un permis d'exploitation peut, en adressant sa demande au Service des Mines, obtenir par firman chérifien la renonciation partielle ou totale à son permis ou sa fusion avec un autre permis limitrophe ou sa division. Les nouveaux périmètres devront satisfaire aux conditions imposées par l'article 28.

Avis en sera donné au public.

Les bornes inutiles devront être déplacées, et il en sera placé de nouvelles aux frais de l'intéressé.

En cas de renonciation le permissionnaire ne peut enlever des travaux souterrains que les objets qui peuvent être retirés sans amener leur destruction ; il peut disposer de toutes les installations de surface par lui établies. Les terrains compris dans le permis deviennent libres comme si la mine n'avait pas été instituée.

TITRE IV.—*Des Droits et Obligations des Explorateurs et des Exploitants.*

ARTICLE 37.

Aucun travail de recherche ou d'exploitation ne peut être entrepris à la surface dans une zone de 50 mètres à l'entour des propriétés closes, villages, groupes d'habitations, puits, édifices religieux, lieux de sépulture, ou considérés comme sacrés par le Gouvernement chérifien, ou à moins de 20 mètres des voies de communication, conduites d'eaux, et généralement de tous travaux d'utilité publique et ouvrages d'art, à moins du consentement du propriétaire pour les propriétés privées, ou du Maghzen pour le domaine public, les travaux d'utilité publique et les ouvrages d'art.

ARTICLE 38.

Un périmètre de protection peut être établi par firman chérifien autour d'une source, ainsi qu'autour des voies de communication ou immeubles énumérés à l'article précédent. Dans l'intérieur de ce périmètre, tout travail de recherche ou d'exploitation, souterrain ou superficiel, ne peut être entrepris ou poursuivi que dans les conditions fixées par le Service des Mines, et peut même être interdit, sans que l'explorateur ou l'exploitant puisse en aucun cas réclamer de ce chef aucune indemnité, sous réserve des dispositions concernant les travaux d'utilité publique prévus à l'article 39 ci-après.

Il en est de même pour des zones qui seraient créées en vue de la défense militaire ; toutefois, en ce cas, l'explorateur ou l'exploitant peut avoir droit à une indemnité, qui sera fixée et réglée comme il est dit à l'article suivant.

ARTICLE 39.

Nul permis de recherche ou d'exploitation ne peut mettre obstacle à l'exécution de travaux d'utilité publique à l'intérieur de son périmètre, non plus qu'à l'ouverture et à l'exploitation de carrières à utiliser pour ces travaux.

L'explorateur ou l'exploitant n'a droit qu'au remboursement des dépenses par lui faites et rendues inutiles par l'exécution des dits travaux ou l'ouverture d'une carrière, compensation faite, s'il y a lieu, avec les avantages qu'il peut retirer du dit travail.

L'indemnité due sera réglée dans les conditions prévues au règlement sur l'expropriation.

ARTICLE 40.

L'explorateur ou l'exploitant peut utiliser pour le service exclusif de son entreprise, sans avoir de ce chef rien à payer aux propriétaires ou possesseurs du sol, les substances rentrant dans la classe des carrières telles qu'elles sont définies à l'article 3 ci-dessus, qu'il abat dans ses travaux de recherche ou d'exploitation.

ARTICLE 41.

L'explorateur ou l'exploitant n'a aucun droit, dans son périmètre, aux bois et autres produits végétaux du sol, ni aux eaux superficielles ou souterraines, sauf pour lui à pouvoir utiliser pour son service les eaux sortant de ses puits ou galeries.

Il n'a aucun droit aux monnaies, objets d'art ou d'antiquité que ces travaux mettraient au jour ; il doit donner avis immédiat de ces découvertes au Service des Mines et, en attendant qu'il ait pu les lui remettre, les conserver à l'abri de toute détérioration.

ARTICLE 42.

L'explorateur ou l'exploitant a le droit d'occuper à l'intérieur de son périmètre les terrains nécessaires à ses installations et travaux et à leurs dépendances.

Cette occupation aura lieu sans formalités ni frais pour les terrains du Maghzen qui ne sont ni enclos ni cultivés, sous réserve du droit des tiers.

Sur tous autres terrains, à defaut de consentement du propriétaire du sol ou de celui qui est présumé tel, et en dehors des zones prévues à l'article 37, l'occupation, après autorisation obtenue du Service des Mines, sera soumise aux conditions fixées par le règlement sur l'occupation temporaire.

ARTICLE 43.

L'exploitant peut, soit à l'intérieur, soit à l'extérieur de son périmètre, occuper les terrains nécessaires à l'établissement, et à l'exploitation des voies de communication ou ports d'embarquement nécessaires pour assurer la sortie de ses produits, la circulation de son personnel et l'apport de ses approvisionnements comme aussi des galeries nécessaires à l'aérage ou à l'épuisement des eaux.

A défaut du consentement des propriétaires des terrains ou de ceux qui sont présumés tels, il sera procédé, après approbation du plan par le Service des Mines, comme en matière d'expropriation pour cause d'utilité publique.

Il sera procédé de même, sous réserve de l'approbation du Service des Travaux publics, pour le captage et l'adduction des eaux nécessaires à la production de la force motrice, ou à la préparation mécanique des minerais.

ARTICLE 44.

Les voies de communication et ouvrages maritimes ouverts en vertu de l'article précédent seront affectés au service exclusif de l'exploitant.

Toutefois, des exploitants limitrophes ou voisins peuvent, par un acte qui devra être transmis au Service des Mines, constituer un syndicat pour établir et exploiter en commun une voie ou un port destiné au service exclusif de leurs exploitations.

Le syndicat ainsi constitué pour l'établissement et l'exploitation de l'ouvrage aura les droits et obligations d'un exploitant de mine en ce qui concerne les occupations de terrains et les responsabilités prévues par les articles 47 et 48 ci-après.

Tout exploitant de mine limitrophe ou voisine peut demander à faire partie du syndicat. En ce cas, à défaut d'entente entre les intéressés, il est définitivement statué tant sur le principe que sur les conditions de la participation par trois arbitres, dont l'un est désigné par le syndicat, l'autre par le demandeur, et le troisième par le Maghzen, à défaut d'entente entre les deux premiers arbitres pour cette désignation.

L'acte syndical doit être communiqué au Service des Mines.

ARTICLE 45.

Les voies de communication et ouvrages maritimes établis en vertu des articles 43 et 44 peuvent, après avis conforme du Service des Travaux Publics, et suivant convention à intervenir entre le Maghzen et l'exploitant ou le syndicat, être affectés au service public dans les conditions que fixera un cahier des charges établi suivant les règles adoptées pour les autres ouvrages de même nature, et en conformité des articles 105 et 106 de l'Acte d'Algésiras.

A défaut de consentement de l'exploitant ou du syndicat, le Maghzen peut, en conformité des articles 113 et 114 de l'Acte d'Algésiras, exproprier les voies de communication ou ouvrages maritimes pour en donner l'exploitation par voie d'adjudication publique en conformité du règlement sur les adjudications.

En cas de rachat ainsi effectué, l'exploitant ou les exploitants syndiqués n'auront à payer les transports relatifs à leur entreprise qu'au prix de revient, frais de péage et de transport compris. Ce prix de revient sera fixé par le cahier des charges de l'entreprise, et à défaut d'entente à cet égard entre le Maghzen et les exploitants de mines, il sera statué dans les conditions prévues à l'article 70 ci-après.

ARTICLE 46.

En cas de cession ou de transfert à un titre quelconque d'un droit de recherche ou d'exploitation, les installations à demeure établies pour l'exercice de ces droits les suivent, dans la cession, à moins qu'il n'en soit autrement stipulé dans l'acte.

Nul créancier ne peut saisir isolément ces installations et le droit pour l'exercice duquel elles sont établies.

ARTICLE 47.

L'explorateur ou l'exploitant sera tenu à réparer tous dommages que ces travaux pourraient occasionner aux propriétés de la surface ainsi qu'aux recherches ou exploitations voisines.

ARTICLE 48.

L'explorateur ou l'exploitant doit réparation pour les dommages résultant de sa faute qui atteignent les personnes.

ARTICLE 49.

L'exploitation des mines donne ouverture à une redevance proportionnée à l'extraction. Cette redevance sera recouvrée par les agents des douanes à la sortie des substances comprises dans la classe des mines, à toute frontière terrestre ou maritime du Maroc. Elle est réglée à 3 pour cent *ad valorem*, sauf pour les substances extraites au Maroc, qui y seront transformées en métaux bruts ou alliages, et pour lesquelles elle est réduite à 2 pour cent de la valeur de ces métaux ou alliages.

Pour l'or, la redevance est réglée à 10 pour cent *ad valorem*.

La valeur des substances sera évaluée au point de sortie, conformément à l'article 96 de l'Acte d'Algésiras.

Seront exempts de taxe les métaux ouvrés ainsi que toutes substances minérales ou métaux bruts lorsqu'il sera établi qu'ils ne sortent que par réexportation.

ARTICLE 50.

Les frais de déplacements et autres qui seront occasionnés au Service des Mines et qui sont mis à la charge des intéressés par le présent règlement seront dans chaque cas taxés par le Service des Mines d'après un tarif qui sera arrêté par le Directeur des Travaux Publics et sera publié. Les frais devront toujours être payés d'avance.

TITRE V.—*Du Service des Mines.*

ARTICLE 51.

Le Service des Mines fait partie des attributions de la Direction des Travaux Publics et des Mines, créée par le firman du 26 février, 1909.

Il est chargé d'assurer l'exécution du présent firman et exerce une surveillance de police sur les travaux de recherche et d'exploitation en vue d'assurer la sécurité de la surface et du personnel occupé dans les travaux.

Des bureaux spéciaux peuvent être constitués, sous l'autorité de la Direction des Travaux Publics, dans les diverses régions minières, pour faciliter l'expédition des affaires. En constituant ces bureaux on tiendra compte des nécessités et conditions des dites régions.

ARTICLE 52.

Le Directeur des Travaux Publics édicte et fait publier les instructions générales nécessaires pour assurer l'application uniforme et complète du présent firman.

Le Service des Mines édicte les règlements de police nécessaires pour assurer la sécurité des exploitations et de leurs dépendances.

ARTICLE 53.

Le Comité spécial des Travaux Publics, institué par application du règlement relatif aux travaux à faire sur les fonds de la Caisse Spéciale, peut être consulté par le Service des Mines sur toutes les questions concernant les mines.

Le Service des Mines doit statuer sur avis conforme de ce comité dans les cas prévus à l'article 4 pour la classification des substances minérales: aux articles 17, 22, 33, et 35 pour le refus et l'annulation des permis de recherche et d'exploitation; à l'article 50 pour la fixation du tarif des frais du Service des Mines; à l'article 52 pour la promulgation des instructions générales du Directeur des Travaux Publics et celle des règlements de police, et à l'article 62, alinéa 6, pour la reconnaissance des droits d'invention.

ARTICLE 54.

Les fonctionnaires et agents du Service des Mines ont à tout moment libre accès et parcours sur toutes les installations et travaux des explorateurs et exploitants.

Ceux-ci sont tenus de leur fournir toutes facilités pour l'accomplissement de leur mission, et de les faire accompagner dans leurs visites, s'ils en sont requis, par les préposés et surveillants dont le concours serait nécessaire.

Ils peuvent se faire représenter les plans des travaux ainsi que les registres d'extraction et de contrôle des ouvriers, qui doivent être tenus par les exploitants, et ils peuvent se faire donner ou envoyer copie de ces documents aux frais des exploitants.

ARTICLE 55.

Les firmans chérifiens ou décisions du Maghzen prévus par le présent règlement ne sont rendus qu'après avis conforme de la Direction des Travaux Publics.

Ces firmans ou décisions sont insérés au "Journal Officiel" de l'Empire, ou à son défaut dans les trois journaux désignés à l'article 3 du règlement relatif aux adjudications effectuées sur les fonds de la Caisse Spéciale.

Il en est de même pour les décisions du Service des Mines.

ARTICLE 56.

Toutes les taxes spéciales prévues dans le présent firman, telles que droits fixes, taxes par hectare et redevances d'extraction, sont versées à la Banque d'État. Cinquante pour cent du produit de ces taxes sont portés au compte-courant du Maghzen; le reste est porté à un compte spécial pour être affecté au paiement des dépenses du Service des Mines et à l'exécution des travaux publics nécessaires à l'exploitation des mines; en cas d'insuffisance de ce compte spécial pour couvrir les dépenses du Service des Mines, il sera fait à ce compte, sur la part revenant au Maghzen, et jusqu'à due concurrence, des avances, remboursables au Maghzen aussitôt que possible. Les versements effectués en application de l'article 50 seront portés au compte du Service des Mines.

Sur les fonds disponibles, après paiement des dépenses du Service des Mines, il sera prélevé des sommes proportionnelles au montant du produit des taxes perçues dans les régions visées à l'article 103 de l'Acte d'Algésiras, pour être affectées à l'exécution de travaux publics dans ces mêmes régions dans des conditions déterminées par le Maghzen avec l'agrément de la Puissance limitrophe.

ARTICLE 57.

Les mines qui, par suite de l'application du présent firman, adviendraient au Maghzen, seront exploitées, soit par le Service des Mines, soit par des amodiataires qui ne pourront être choisis que par voie d'adjudication publique dans les conditions fixées par le règlement sur les adjudications. Le produit de ces exploitations sera réparti comme il est dit à l'article précédent.

TITRE VI.—*Dispositions transitoires.*

ARTICLE 58.

Une cour d'arbitrage statuera souverainement sur tous les droits, titres, et

réclamations pour les actes et faits remontant à une date antérieure à la publication du présent firman.

La Cour aura à décider—

1. Si les droits de recherche ou d'exploitation réclamés par une personne ou par une société datant d'une époque antérieure à la publication du présent firman reposent sur une base juridiquement valable, et, dans la négative, si et jusqu'à quel point la dite personne ou société est en droit de réclamer une indemnité à la charge du Maghzen en raison des frais occasionnés pour l'acquisition de ces droits ;
2. Si et jusqu'à quel point par des raisons d'équité il y a lieu d'accorder des permis de recherche ou des permis d'exploitation à toute personne ou société, qui, ne possédant pas des titres fondés en droit conformément au No. 1, se prévaut de faits ou circonstances antérieurs à la publication du présent firman.
3. Lorsque les faits et circonstances mentionnés au No. 2 sont tels que possessions effectives relatives aux mines ayant commencé à une époque antérieure à la constitution des droits reconnus en vertu du No. 1, ou acquisitions faites au propriétaire du sol en vue d'obtenir des droits miniers, ou exécution de travaux miniers ou d'installations minières, la cour, en cas de concurrence entre demandes présentées en vertu du § 1 et du § 2, peut se prononcer comme amiable compositeur en conformité de l'article 1019 du code français de procédure civile.

La cour définira, de façon qu'elle puisse être identifiée sur le terrain, la délimitation des périmètres de recherche ou des périmètres d'exploitation qu'elle reconnaîtra ou attribuera en vertu de cet article, sans que ces périmètres aient nécessairement les formes et étendues prévues au présent firman.

Ces permis, dès qu'ils auront été reconnus ou attribués, seront, à partir de leur délivrance, assimilés pour tous droits et obligations qui en dérivent, aux permis de recherche ou d'exploitation du présent firman. Toutefois un permis de recherche qui serait reconnu en vertu du No. 1 aurait, par exception à l'article 20, la durée que fixerait la cour d'arbitrage et les titulaires du permis d'exploitation n'auraient pas à payer la taxe de 500 fr. prévue à l'article 33.

Dans le cas d'un permis accordé en vertu d'un contrat particulier reconnu valable en droit, la cour peut éventuellement compenser, par une indemnité à la charge de l'une des parties et au bénéfice de l'autre, la différence résultant pour le permis de l'ensemble des avantages et des obligations du présent firman avec l'ensemble des avantages et des obligations du contrat originaire.

Article 59.

La cour d'arbitrage sera composée de cinq arbitres désignés par la Cour fédérale de Lausanne parmi ses membres, à la requête du doyen du corps diplomatique de Tanger.

La cour d'arbitrage aura son siège à Lausanne. Elle peut, toutefois, envoyer l'un ou l'autre de ses membres en tous endroits pour y faire une constatation ou pour y prendre des informations. Elle nomme son propre greffier et les secrétaires et traducteurs qui l'assistent. La cour établit elle-même sa procédure et désigne les langues dont elle se servira et qu'on pourra employer auprès d'elle. Le règlement de procédure sera communiqué au Service des Mines du Maroc et au doyen du corps diplomatique de Tanger. Il sera publié par les soins du Service des Mines conformément à l'article 55.

En cas de signification ou de remise d'actes à des particuliers, la cour s'adressera directement au Gouvernement du pays où la notification ou la remise devront avoir lieu. Il en sera de même s'il s'agit d'une enquête ou d'une constatation à faire.

Une indemnité trimestrielle de 3,000 fr. sera allouée à chaque arbitre. Cette indemnité sera payable à compter du jour de la première réunion de la cour. En cas de déplacement d'office, l'arbitre touchera, en outre, une indemnité de voyage, qui sera fixée d'après les règlements appliqués aux Ministres plénipotentiaires suisses.

La Banque d'État du Maroc mettra à la disposition de la cour, sur un compte spécial qu'elle tiendra à cet effet, un fonds suffisant destiné à couvrir les allocations de ces indemnités, les traitements du greffier, des secrétaires, et des traducteurs et les autres frais de la cour.

Si les sommes portées en recettes à ce compte spécial sont insuffisantes, le solde des frais et honoraires sera supporté par le Maghzen.

Article 60.

1. Toute personne ou société qui réclame un droit ou un permis de recherche ou d'exploitation en vertu de l'article 58 doit, à peine de forclusion, notifier sa réclamation à la cour dans les six mois qui suivront la publication du présent firman.

La notification se fera par l'envoi d'un exposé en 26 exemplaires. Cet exposé contiendra l'objet précis de la demande, les faits matériels sur lesquels on fonde les prétentions, les points de vue juridiques auxquels on se place, et les moyens de preuve à l'appui. L'exposé désignera le périmètre de recherche ou d'exploitation sur lequel on réclame des droits, de manière à en assurer l'identification sur le terrain en produisant notamment les cartes, croquis, ou plans à ce nécessaires, suivant ce que la cour indiquera. Les documents devant servir de preuve seront produits en copie certifiée.

Il sera fait autant de demandes distinctes que de périmètres réclamés.

Chaque périmètre devra être continu.

La notification sera accompagnée d'une quittance de la Banque d'État du Maroc certifiant le versement d'une provision pour les frais de procédure, qui se montera à 500 fr. par demande, plus 2 centimes par hectare du périmètre réclamé. La cour aura le droit, soit pour l'ensemble des réclamations, soit pour certaines d'entre elles, d'élever la provision précitée par une augmentation de la taxe par hectare, sans pouvoir dépasser 10 centimes par hectare, lorsque la cour estimera cette augmentation nécessitée par les frais de la procédure.

La cour pourra en chaque cas faire dépendre la continuation de la procédure du paiement de ce supplément de provision.

2. Dès la réception de la notification la cour enverra cinq exemplaires de l'exposé au Service des Mines du Maroc et lui demandera de présenter, s'il y a lieu, ses observations sur la réclamation dans un délai déterminé.

La cour enverra, en outre, quinze exemplaires de l'exposé au doyen du corps diplomatique de Tanger, qui les transmettra aux membres de ce corps. Ces derniers pourront donner également leur avis sur la réclamation, dans un délai déterminé, et communiquer à la cour les remarques et observations éventuelles de leurs nationaux. La cour pourra demander au représentant diplomatique, et, par son intermédiaire, aux nationaux intéressés d'ajouter de nouvelles informations à celles déjà données.

Pendant tout le cours de la procédure la cour pourra inviter le réclamant à compléter ses indications et à produire des preuves et lui fixer un délai à cet effet. Elle pourra toujours l'entendre personnellement, et le réclamant pourra demander à être entendu par lui-même ou par mandataire.

Les dépenses du Service des Mines nécessitées par les enquêtes demandées par la cour seront réglées sur le compte spécial prévu ci-dessus, après approbation de la cour.

3. Les décisions de la cour seront motivées et signées par le président et le greffier.

Les décisions seront communiquées au réclamant, au Service des Mines du Maroc, au doyen du corps diplomatique de Tanger, et à tout représentant du corps diplomatique qui aura donné son avis sur la réclamation ou aura communiqué à la cour l'avis d'un de ses nationaux.

4. Si la décision de la cour reconnaît ou attribue à un réclamant un droit de recherche ou d'exploitation, contesté par un autre réclamant, la décision pourra établir que le droit accordé ne sera définitivement acquis qu'après paiement de l'indemnité accordée à l'autre réclamant.

5. Si la décision accorde une indemnité à la charge du Maghzen, le réclamant sera autorisé à compenser le montant de l'indemnité avec la part des droits qu'il aurait à payer en vertu du présent firman et qui doit être attribuée au Maghzen.

6. Si le total des frais de la cour d'arbitrage est inférieur à la somme des contributions des réclamants prévues ci-dessus, la différence sera répartie entre les réclamants au prorata des contributions versées par eux.

Titre VII.—*Dispositions diverses.*

Article 61.

Par exception aux dispositions du Titre III, les permis de recherche ne donnent pas droit à l'obtention de permis d'exploitation pour les phosphates et nitrates, ainsi

que pour les sels gemmes ou autres sels associés dans les mêmes gisements et les sources et eaux souterraines salées. Ces substances ne pourront être exploitées qu'en vertu d'adjudications publiques, dans les périmètres et pour une durée définie par le cahier des charges de chaque adjudication.

L'adjudication portera sur la redevance à payer à la tonne de produit extrait.

Le cahier des charges peut astreindre l'adjudicataire à construire et à exploiter pendant la durée de son adjudication, des ouvrages de viabilité ou de navigation qui pourront être affectés au service public dans les conditions fixées au dit cahier des charges.

Les redevances provenant de ces adjudications recevront la même affectation que celle prévue à l'article 56 pour les impôts et redevances de mines.

Les explorateurs munis de permis de recherche en périmètre réservé qui auront découvert dans leur périmètre des gîtes de phosphates ou de nitrates nouveaux et démontré leur exploitabilité, auront droit à un cinquième des redevances payées par les adjudicataires, à charge par eux de revendiquer leurs droits d'invention avant l'expiration de leurs droits de recherche.

La reconnaissance du privilège d'invention aura lieu par décision du Service des Mines.

Les explorateurs n'auront droit à aucune indemnité, quelque soit le retard apporté à l'adjudication; ils ne pourront élever aucune réclamation sur la rédaction du cahier des charges. Leur droit sur les produits de l'adjudication cessera, dans tous les cas, quinze ans après la notification de la décision qui leur aura reconnu la qualité d'inventeur.

Sauf les exceptions stipulées dans le présent article, l'adjudicataire est assimilé pour tous les droits et obligations, et notamment pour le paiement de la redevance fixe par hectare et de la redevance *ad valorem*, à l'exploitant de toute autre mine.

L'adjudication ne fait pas obstacle à la recherche et à l'exploitation, dans les périmètres adjugés, des substances autres que celles dénommées au présent article par toute personne ayant acquis des droits antérieurs à l'adjudication.

Sont interdits, postérieurement à l'adjudication, tous travaux de recherche et d'exploitation, dans les périmètres adjugés, par toute autre personne que l'adjudicataire.

Le Maghzen se réserve le droit d'exploiter les mines de sel en se conformant aux dispositions des Titres II et III du présent firman.

Article 62.

Une même personne ou une même société ne peut détenir simultanément au Maroc, pour quelque motif que ce soit, des droits d'exploitation sur plus de 60,000 hectares, à peine d'encourir la déchéance de ses permis en conformité de l'article 35 du présent firman, à moins d'y avoir été autorisé par un firman rendu avec l'assentiment de la majorité du corps diplomatique.

Exception est faite pour les adjudications qui seraient passées en vertu de l'article 61.

Article 63.

Un firman chérifien peut à toute époque, sous réserve des droits antérieurement acquis, et avec l'assentiment de la majorité du corps diplomatique, attribuer par privilège à toute société, pour une période de trois ans, renouvelable, sur des demandes successives, pour deux périodes de trois ans, le droit exclusif, en se conformant aux prescriptions du présent firman, de faire des recherches et d'obtenir des permis de recherche et d'exploitation dans une région déterminée par le dit firman, à charge par cette société, outre le paiement des redevances ou impôts stipulés par le présent firman pour ses périmètres de recherche ou ses permis d'exploitation, de s'engager, si elle demande et obtient un ou plusieurs permis d'exploitation dans le délai de son privilège, à construire et exploiter des ouvrages de viabilité ou de navigation, utiles à l'exploitation de ses mines, qu'indiquera le dit firman.

En aucun cas le privilège ne peut s'étendre sur plus de 10,000 kilom. carrés. Il ne peut être accordé que si la société demanderesse justifie qu'elle dispose des ressources financières suffisantes pour assurer la mise en valeur du territoire privilégié.

Le firman constituant le privilège peut, d'accord avec la société, stipuler un partage de ses bénéfices avec le Maghzen. Les sommes qui en proviendront, ainsi

que celles résultant de l'application des autres taxes prévues au présent firman, seront réparties comme il est dit à l'article 56 entre le Maghzen et le Service des Mines. Le cahier des charges sera arrêté conformément à l'article 70 ci-après.

A défaut de construire et d'exploiter les dits ouvrages la société encourrait, outre la déchéance de ces ouvrages, celle des concessions de mines acquises pendant la durée de son privilège. Cette déchéance serait poursuivie comme il est stipulé à l'article 35.

Article 64.

Est puni d'une amende de 500 à 1,000 fr., sans préjudice de la restitution en nature ou en valeur des produits indûment extraits—

(1.) Quiconque exploite des mines sans en avoir le droit;
(2.) Quiconque détruit, déplace, ou modifie d'une façon illicite des signaux ou des bornes de périmètre.

Article 65.

Est puni d'une amende de 100 à 500 fr. quiconque apporte des entraves à la surveillance des agents du Service des Mines et quiconque n'entretient pas en bon état les signaux ou les bornes de son périmètre.

Article 66.

Est puni d'une amende de 20 fr. à 200 fr. quiconque contrevient aux règlements de police relatifs à la sécurité des mines, sans préjudice des mesures que le Maghzen pourrait prendre contre les indigènes.

Article 67.

Les personnes qui ont été condamnées pour l'une des infractions prévues à l'article 64 ci-dessus ne peuvent obtenir de permis exclusifs de recherches pendant un délai de cinq ans, à compter du jour où leur condamnation est devenue définitive.

En vue de l'application de la présente disposition, le Service des Mines reçoit des extraits des jugements portant condamnation pour infractions.

Article 68.

Les amendes sont prononcées par les tribunaux de droit commun à la demande du Service des Mines.

Article 69.

Les explorateurs ou exploitants sont soumis, en ce qui concerne les matières non traitées par le présent firman, aux règlements intervenus ou à intervenir dans l'Empire chérifien, sous réserve des droits internationaux et des traités.

Ils sont soumis aux juridictions ordinaires pour le règlement de tous les conflits pouvant surgir entre eux ou avec des tiers; ces conflits sont portés devant les tribunaux ordinaires compétents.

Article 70.

Par exception aux dispositions de l'article précédent, tous les litiges relatifs à l'étendue et à la délimitation des permis de recherche et d'exploitation et toutes questions s'y rattachant, ainsi que les litiges pouvant survenir entre le Gouvernement marocain et des tiers dans l'application du présent firman, seront soumis en premier et dernier ressort au tribunal établi conformément à l'article 45, § 2, de l'Acte d'Algésiras en vue des plaintes contre la Banque d'État du Maroc.

Un juge marocain spécialement commissionné pour chaque affaire sera adjoint au tribunal dans chaque contestation. S'il se trouve parmi les parties une personne ou une société dont la nationalité n'est pas représentée au tribunal, le magistrat consulaire de Tanger appartenant à cette nationalité fera en outre partie du tribunal.

Si le tribunal se compose d'un nombre pair de membres, le président départagera les votes en cas d'égalité des voix.

Le président ne pourra être de la nationalité d'une des parties.

Le tribunal appliquera aux contestations entre particuliers qui lui sont soumises les prescriptions matérielles de droit en vigueur au Maroc et les règles de procédure de la législation française.

Pour les litiges survenus entre le Gouvernement marocain et des tiers, le tribunal appliquera les règles en vigueur en France pour la procédure des arbitres amiables compositeurs.

ARTICLE 71.

Lorsque, pour l'application du présent firman, il y aura lieu à expertise ou arbitrage, les frais et honoraires dus aux experts et aux arbitres seront fixés, par dérogation aux règles admises pour l'adjudication publique, d'après un tarif établi par une commission composée de deux fonctionnaires du service des Travaux Publics et de deux membres désignés par le corps diplomatique.

Ces frais et honoraires sont, en cas d'expertise, à la charge du débiteur; en cas d'arbitrage, ils sont impartis aux intéressés dans les conditions fixées par les arbitres. Il peut être demandé aux débiteurs ou aux intéressés le versement à la Banque d'État d'une caution ou d'une avance.

ARTICLE 72.

Toutes les sommes à payer en vertu du présent firman sont calculées en or et sont payables en monnaie ayant cours légal au Maroc.

ARTICLE 73.

Le Maghzen ne peut suspendre le droit de rechercher les mines et celui d'acquérir des droits exclusifs de recherche ou d'exploitation qu'avec l'assentiment de la majorité du corps diplomatique.

Cette suspension ne peut avoir lieu que par voie de mesure générale dans des régions déterminées, et pour des motifs de sécurité. Les droits acquis antérieurement continueront à pouvoir être exercés dans ces régions, aux risques et périls des intéressés.

ARTICLE 74.

Le présent firman entrera en vigueur six mois après sa publication. Toutefois, les permis de recherche demandés en vertu du Titre II sur les terrains réclamés par application des articles 58 et suivants ne pourront être délivrés par le Service des Mines avant la décision de la cour d'arbitrage prévue aux articles 58 et suivants.

Arrêté en quatre expéditions dont une pour chacun des délégués pour être joint au protocole en date de ce jour.

Paris, le 7 juin, 1910.

Le délégué de l'Allemagne,
E. HABER.

Le délégué d'Espagne,
FERNANDO DE LOS VILLARES.

Le délégué de la France,
L. AGUILLON.

Le délégué de la Grande-Bretagne,
HENRY CUNYNGHAME.

[19316] No. 153.

Sir Edward Grey to Sir F. Bertie.

(No. 287.)

Foreign Office, June 11, 1910.

Sir,

I HAVE received your Excellency's despatch No. 212 of the 29th ultimo, transmitting a copy of a memorandum from the French Government relative to the participation of British banks in the Moorish loan.

With every desire to understand the point of view of the French Government,

His Majesty's Government feel bound to express their regret and dissatisfaction at the attitude adopted in the French memorandum. They readily admit that in view of the large sums advanced to the Makhzen by German financiers Germany may fairly claim a substantial share of the loan, and it is a fact that a percentage, relatively small in comparison with that assigned to other countries, has been reserved for British capital in the Union des Mines marocaines and the Société marocaine de Travaux publics. But His Majesty's Government fail to see that this is any reason for the exclusion of direct British participation in the new loan, upon which it is a significant comment that the bonds are made out in the French, German, and Spanish languages, apart from the Arabic.

The references in the memorandum to the transactions of 1904 and 1907 do not seem relevant. In 1904 the Sultan of Morocco had been in negotiation for a loan with British financiers, who, it is understood, having regard to the national importance of successfully concluding the negotiations then pending between the British and French Governments respecting Morocco, agreed to waive their private interests, and to stand aside so as to allow of the loan being placed in France instead. The establishment of the Morocco State Bank bears a still remoter analogy to the present situation, as the shares of the different countries in the small original capital of the bank were fixed and equalised by the Algeciras Act, and were consequently beyond the reach of Governmental interference.

The real point now at issue is that the French Government, through M. Pichon, invited the participation of British capital in the subscription to the Moorish loan, in order that the loan might not be exclusively Franco-German. It was, in the opinion of His Majesty's Government, proper that this consideration should be shown to the commercial interests of Great Britain in Morocco, which exceed in importance those of any other country except France. But when British financiers applied on the strength of M. Pichon's invitation they were refused, and their application was treated, and is now described, as being altogether unreasonable. The arguments put forward in the French memorandum do not touch this issue, and His Majesty's Government feel unable to modify the view which they have already expressed concerning this marked discrimination against British capital.

They are aware that the situation cannot now be remedied in regard to this particular transaction, but as attention is called in the memorandum to the share of 6,000,000 fr. allocated to an English group, they think it right to point out that when M. Pichon urged that British capital should participate he could not possibly have had in his mind the share which would of necessity fall to Sir E. Cassel in virtue of his arrangement with the Banque des Pays-Bas.

The idea of Government intervention respecting the distribution of the loan is put aside in the memorandum as out of the question, but His Majesty's Government are aware that the French Government found no difficulty in exercising strict control when, in the course of the negotiations in regard to Chinese railways, French financiers had, in the opinion of the Ministry of Finance, agreed to terms not sufficiently favourable to French interests.

I request that your Excellency will make a communication to the French Government in the sense of this despatch.

I am, &c.
E. GREY.

[21553] No. 154.

Memorandum by Sir Edward Grey.

THE Spanish Ambassador was instructed by his Government to ascertain what I thought of the voyage of Abdul Aziz. I told him that I had heard he wanted to visit Egypt, but I regarded it as a private pleasure trip to which no importance attached. It was a nuisance, because someone would have to look after him in Egypt, but as the visit had no importance I felt it would be uncivil to object to it, unless the officials in Egypt thought the visit undesirable on public grounds. I promised to let the Ambassador know when I had definite information as to the movements of Abdul Aziz.

E. G.

Foreign Office,
June 14, 1910.

[21446] No. 155.

Sir M. de Bunsen to Sir Edward Grey.—(*Received June* 16.)

(No. 75. Confidential.)

Madrid, June 13, 1910.

Sir,

THE French Ambassador again spoke to me a few days ago on the subject of Morocco. It was satisfactory, he said, that an agreement had been reached with reference to the Riff mines controversy between the French and Spanish interests involved and to the Ceuta road question. If the Spanish Government had refused to come to terms over the Riff mines, they would have been in an awkward position at the Paris Conference on the proposed Morocco mining regulations. At this conference, it had only been possible to make out a Spanish case for the possession of the Riff mines by producing the documents held by M. Massenet on behalf of the French company concerned, which had afforded proof of the purchase of the ground from the native proprietors. M. Révoil added that the Spanish Government were still seeking by every means to extend their influence in the Riff country and in the neighbourhood of Tangier. They were setting up small military outposts along the left bank of the Muluya, commanding the roads leading into the Quebdana country from the south. His Excellency did not seem to object to these military movements, which he thought were not unconnected with the known intention of the French Government to set up more market places on Moorish territory along the Algerian frontier, and especially at Sidi Melluk, south of the Beni Snassen country, and at Debdu, still further south, on the model of those already established at various points under the French treaties with Morocco, and with similar privileges.

M. Révoil states that the Spanish Ambassador at Paris is already beginning to raise the question of the prolongation or renewal of the arrangements made at the Algeciras Conference for the organisation of the Morocco police under French and Spanish officers. The assistance of the foreign police officers was to be rendered to the Makhzen for a period of five years, dating from the ratification of the General Act of Algeciras. This period will expire at the end of the year 1911, or at a later date, according as ratification by the Powers or the subsequent ratification by the Sultan be taken as the starting point. M. Révoil fears that Spain will press for a redistribution of the spheres in which the French and Spanish police officers respectively exercise their functions. Her contention seems to be that the police at Casa Blanca under Spanish officers is hampered by the continued occupation of that region by the French forces. Spain, M. Révoil believes, is driving at concentration in her own hands of the entire Morocco police force at Tangier, both inside and outside the town. But the French Government, in his opinion, would never allow the control of the roads leading into Tangier to pass under the control of Spanish officers.

I have, &c.

MAURICE DE BUNSEN.

[20690] No. 156.

Sir Edward Grey to Mr. Lister.

(No. 72.)

Foreign Office, June 16, 1910.

Sir,

I HAVE received your despatch No. 93 of the 5th instant, enclosing a translation of a note which Guebbas has addressed to the dean of the Diplomatic Body at Tangier to the effect that the Sultan has decided not to inflict any punishment in future which could unfavourably affect the feelings of the Powers towards him. This note is dated the 21st May.

I enclose herewith an extract from the "Times" of the 8th instant, reporting the tortures inflicted by the Sultan on Ben Aissa and his family. It would be useful, in view of the possibility of the Sultan's recurring to the question of the reception of a Moorish mission in London, to obtain confirmation or otherwise of these reported atrocities from Mr. MacLeod.

I approve your action in addressing a strongly-worded note to the Makhzen recapitulating British grievances against them.

I am, &c.

E. GREY.

[21602] No. 157.

Sir F. Bertie to Sir Edward Grey.— (*Received June* 17.)

(No. 231. Confidential.)

Paris, June 16, 1910.

Sir,

WITH the view of carrying out the instructions contained in your despatch No. 287 of the 11th instant, I reminded M. Pichon to-day of the desire which he had expressed to me on the 22nd March that some English banks should take a portion of the Morocco loan, in consequence of which you had made enquiries in the city which had resulted in some financial houses making an offer to do so, but on their communicating with the Banque de Paris et des Pays-Bas, with the view of issuing a portion of the loan in the London market, they had met with opposition on the part of that bank, and that I had by your direction made representations to his Excellency on the subject. I said that I had received from his department a memorandum which, from its contents, I felt convinced did not express his own views on the subject of a British participation in the loan. I gave the memorandum to his Excellency to read, and, with a shrug of the shoulders, he observed that it had been drawn up by M. Guiot, who is the French "administrateur" on the board of the State Bank of Morocco. I then informed his Excellency that I had received instructions from you to make a further communication to him on the subject, and I handed to him the memorandum, a copy of which I have the honour to transmit to you herewith.*

M. Pichon, after reading it, asked me what I wished him to do in the matter. I replied that in this particular transaction there did not seem to be any remedy. The matter was past praying for, but it was an example of the excessive greed of French financiers, and it would be desirable that his Excellency should personally draw the attention of the Minister of Finance to the manner in which an offer by English banks, in consequence of a suggestion made to His Majesty's Government at his Excellency's instance, had been met by the French bank, for there could be no doubt that the Ministry of Finance could exercise some control in such a matter, as had been shown in other cases.

M. Pichon admitted that Sir Ernest Cassel's participation in the loan under an arrangement between him and the Banque de Paris et des Pays-Bas of 1907 could not be regarded as the participation which he had in view, and had suggested to me in March last. His Excellency said that he would confer with the Minister of Finance on the subject of the representations which I had made to him under instructions from His Majesty's Government. M. Pichon was evidently embarrassed at the position in which he had been placed by the French financiers and authorities concerned in the Morocco loan business. He observed that the Banque de Paris was notorious for its greed.

I have, &c.

FRANCIS BERTIE.

[21778] No. 158.

Consul MacLeod to Sir Edward Grey.—(*Received June* 18.)

(No. 6.)

Fez, June 2, 1910.

Sir,

RESUMING the narrative of my despatch No. 5 of the 8th March, it would be tedious to detail minutely the course of events since that time in Hiayna and Taza districts.

Suffice it to say that the troops there have been irregularly paid, that desertions have been common, and that the Mehalla has had to depend more and more for subsistence upon its exactions from the Hiayna people.

A series of fights occurred in which the troops gained no decisive advantage, but the results of which were that the inhabitants of central and eastern Hiayna withdrew themselves and their belongings to the chronically insubmissive districts to the east and north of Hiayna. The troops then burned a number of villages, and maintained themselves and their animals largely out of the growing crops. Various attempts were made by the Hiayna to come to terms with the Sultan, but eventually all failed

* Not printed.

for the same reason, namely, that although compliance with the Sultan's demands, such as accepting kaïds placed over them, paying contributions, and even giving levies of soldiers, was made, renewed demands and fresh spoliations of the districts nearly always followed, until apparently the people of central and eastern Hiayna concluded that it was impossible to satisfy the Sultan, and that they would do better to make common cause with their neighbours in Dsul, Ghiata, Branes, and Sinhaja against him.

Two English and several Turkish (but no French) instructors were for some weeks with the Hiayna Mehalla, but were allotted no duties, were left unpaid, and had to return to Fez to press for their salaries. One of the English instructors (Balding) has now been paid, and the other (Redman) has been given an order for the sum due him, but has not got the actual money yet, and both of them have been told to remain at Fez for the present, but are not assigned duties.

Similarly Dr. Verdon has—though his arrears of salary continue to accumulate—not been given anything like the facilities which, without expense, the Makhzen could afford him, and so is unable to be of the fullest service.

These instances are very typical of the impecuniosity, confusion, and waste which are again becoming common in the Makhzen.

The information available from Taza district nowadays is very scanty, irregular, and not always reliable, so the present particulars are given with all reserve and subject to future correction.

So far as the consuls here have been able to make out, the following, however, is substantially what has taken place :—

Early in spring Abdelmalek Mahideen (see paragraph 10 of my despatch No. 1 of the 19th January) returned to Branes and renewed his agitation, though with what specific object it is difficult to say, as by some accounts he is in league with Mulai Kebir, and according to others he exhorts the tribe to restore Mulai Abdalaziz. Meantime another Pretender—one Mansur Jolti—a Moor, formerly a cattle dealer on the frontier, appeared in Dsul, alleging that he was "Mulai Mohammed" (= Bu Hamara), that he had not been executed, but had escaped from prison at Fez. He obtained some support in Dsul, and early in April moved to Taza, intending to instal himself there as Sultan.

On the road thither, however, he was attacked and killed by numbers of the Ghiata tribe, whose support he had not been prudent enough to ensure beforehand, and who were probably instigated by Mulai Kebir.

During April the Sultan's ever increasing exactions resulted in some common action between the eastern Hiayna people and their neighbours, with the result that two camps of insurgents were formed. From these a series of alarms and excursions issued, such as to entail the withdrawal on the 13th May of the Sultan's Mehalla some 10 miles nearer to Fez, namely, to Ain Al Kra, Boghala Hiayna, some 25 to 30 miles E.N.E. of Fez, and at this spot it has since remained.

On the 24th April a great meeting of the Taza tribes took place at Wad Bu Hlou, some 36 to 40 miles E.E.N.E. of Fez.

At this meeting if Mulai Kebir was not formally proclaimed Sultan, it seems clear that he was recognised as the common head of the Taza tribes against the Sultan.

Early in May Mulai Kebir moved into Dsul and began collecting supplies, and, in the rude fashion of that region, organising the tribes against the Sultan's Mehalla.

Whether, and if so when, a formal proclamation of Mulai Kebir as Sultan took place about this time is not known for certain, but that he must have been recognised as Sultan is shown by the circumstance that the public prayers at Taza on Friday, the 27th May, were said in his name instead of the name of Mulai Hafid, as was the practice until some weeks ago, when (as is the rule in an interregnum) the prayers were offered in the name of the Prophet and his companions.

Meantime, the discontent of the Sultan's troops has been increased by the abolition of the food allowance, in kind, a reform which was obtained over a year ago, after prolonged efforts by the French military mission.

As the result of the protests of the French officers, the allowance is being continued to the two or three regiments most directly under their instruction, which, however, has not mended matters much. Some months ago the Sultan, without precedent, compelled the hill tribes between Fez and Alcazar to furnish levies of infantry soldiers. They were allowed to retain their own dress and their own music—the drum and the "ghaita"—the latter being a reed pipe instrument, whose music is not unlike that of the Scottish bagpipe.

Recently the Mehalla which had been in their lands and which had exacted these levies returned, much attenuated by desertions to Fez, whereupon on the night of the 31st May—1st June these mountaineers with their officers and arms deserted in a body—60 men from the camp at Fez and about 250 from the Hiayna Mehalla—apparently in a concerted way.

The abolition of the food allowance is doubtless largely the work of the "Hajib" (= chamberlain) of the Sultan, who was put in command in Hiayna when the opposition of the tribes thereabouts began to increase.

According to all the reports which reach Fez, the main ground on which Mulai Kebir asks support is the "pro-foreign" (*sic*) policy of Mulai Hafid, and his followers are invited to "holy war" against the Christian Hafid.

There is no reason to credit Mulai Kebir with abilities superior to those of the Sultan, or to suppose that he is likely to become so popular anywhere in the region regularly under the Makhzen's control.

The local position he has now apparently gained for himself seems likely to lead to a renewal of campaigns analogous to those which Mulai Abdalaziz had with Bu Hamara, which lasted six years, and which so largely contributed to ruin Mulai Abdalaziz's Government.

Should, as seems probable, Mulai Kebir's movement continue to progress, the consequences can scarcely fail to be most injurious to the Sultan. The movement makes it almost impossible for him to quit Fez, where and in whose neighbourhood he has become more and more unpopular, when his means are always diminishing, and his methods to gain money have to become more and more drastic and repugnant to all classes.

The existence and indefinite prolongation of such a situation, within 40 miles of Fez, as Bu Hamara produced, and as Mulai Kebir now seems likely to be able to create, will preoccupy the Makhzen in the interior so much as to afford most plausible and even real reasons for continuing all the worst abuses of the present methods, and for resisting everything in the way of proper reform and reorganisation in the Government, both in the interior and at the ports.

It is for these reasons that I would call particular attention to the possibilities, the further drainage of the Sultan's resources, the insecurity of roads, injury to trade and public credit, with which Mulai Kebir's movement is fraught, and to the consequences which may, quite conceivably, ensue should an end not be put to the chronic lawlessness of the Taza–Fez region.

I have, &c.
J. M. MACLEOD.

[21756] No. 159.

Mr. Lister to Sir Edward Grey.—(*Received June* 18.)

(No. 97.)
Sir, *Tangier, June* 8, 1910.

THE gruesome story of the horrible torture and death of the wife of Ben Aissa is now very generally confirmed, and I fear that there is little doubt that it is true.

The Basha of Fez Jedid (the so-called new quarter of Fez) told the story privately to Mr. Redman, who repeated it to Dr. Verdon. Sergeant Balding heard very much the same, and Menebhi has received various letters from influential Moors at Fez, his brother-in-law, Shergui, Si Mohammed-el-Geai, &c., all of which corroborate the main facts.

I am also assured that Guebbas has received a letter from the Sultan, saying that if he is asked about the story by the foreign representatives he is to reply that the Bashas of Fez and Mequinez were found to have been deeply implicated in a conspiracy to take his life, and that drastic measures were rendered necessary. Guebbas has, however, my informant tells me, suppressed the letter.

The wretched woman appears to have been hung to the wall by chains attached to her wrists; clamps, such as are placed by Moorish smiths on horses' noses when they are being shod to keep them quiet, were then put to her breasts and gradually tightened. She appears to have died under the ordeal. The torture was inflicted by the present Basha of Mequinez in order to oblige her to divulge the place in which her husband's treasure was concealed.

It is also reported that her son, the ex-Basha of Mequinez, is being tortured in the

prison of that town, and that Ben Aissa himself, the Basha of Fez, is said to have died from the effects of a flogging.

It would seem almost impossible to add to the horror of these cruelties, and yet the heinousness of this last exploit of Hafid's is rendered, if possible, greater by the fact that he must have given orders for the woman's torture only a few days after he had written the letter to the doyen of the diplomatic body which was enclosed in my despatch No. 95 of the 5th June. The cynicism with which he has acted adds an element of insolence and defiance to Europe to this fresh outrage against humanity.

It seems generally believed that the excesses of drink, morphia, and debauchery to which he gives way are beginning to tell on his brain, and that his lust for cruelty and blood now amounts to a mania.

I have, &c.
REGINALD LISTER.

P.S.—Subsequent to the date of this despatch I received a private letter from His Majesty's consul at Fez, dated the 6th June, in which he writes as follows:—

"The Sultan had reason to believe that Hadj-ben-Aissa had a lot of money and jewels hidden at Mequinez. He was thrashed, and then stated that the valuables were in the house of the mukaddem of the Aissowa at Mequinez, and that his (the basha's) son, Salah, Governor of Mequinez, knew about them. This place was drawn blank and Salah was then thrashed, and he declared his mother knew about them. The mother was then sent from Fez to Mequinez, but declared she knew nothing. Thereupon she was thrashed, hung by the wrists to the wall, and then her breasts were put into those wooden nippers which Moorish smiths use to fasten horses' noses to keep them quiet when they are being shod. She was then at the house of the mukaddem, and he and the neighbours protested against all this, and she was then dragged through the streets to a house of her husband's. There the torture was renewed, and she then told of the existence of some jewels hidden in or under the bathroom of that house, where presently they were found. The woman, however, died the next day from the horrible treatment she had received.

"My taleb, who has just returned from the 'Mussim' at Zerhon, tells me that he met there people from Mequinez who said they had heard the screams of the woman when the torture was in progress, and that all Mequinez knew what had taken place.

"Mr. Enyart, the American missionary, chanced to be here the day before yesterday on his way from Sefroo to Mequinez (where he lives), and he told me that he had also heard all this, which was common talk of the place and was causing much indignation.

"To-day it is commonly reported that the basha has died from the floggings he has had, but of this I have no account yet even approximately reliable. Simultaneously with this report a story has come out from the palace that treasonable papers from Mulai-el-Kebir have been found among the basha's papers."

Whatever exactly the details may be, it seems pretty clear that some gross cruelties have been perpetrated on those people, which would be abominable enough at any time, but, done on the heels of that letter renouncing such practices which the Sultan sent to the diplomatic body the other day and of his verbal statement to me in the same sense when I last saw him, they are more than usually odious.

R. L.

[21757] No. 160.

Mr. Lister to Sir Edward Grey.—(*Received June* 18.)

(No. 98. Confidential.)

Tangier, June 11, 1910.

Sir,

I HAVE the honour to report that Si el-Mokri, accompanied by Si Abdallah-el-Fasi, Ben Rahmoun, and Ben Ghabrit, the native dragoman of the French Legation, who was attached to the Moorish mission during their stay in Paris, arrived at Tangier on the 9th instant from Cadiz on board the French cruiser "Duchayla."

The French Minister, who had not been very well, took advantage of the "Duchayla's" going to Spain to take two days' rest, and returned with el Mokri. He told me yesterday that he had had a very satisfactory conversation with the latter,

who had expressed himself strongly in favour of a policy of collaboration with France. He intended, he said, to speak very openly to the Sultan on the subject, and to warn him that if he proposed to follow any other course, he for one would not follow him. It remains to be seen whether he will be equally bold when he arrives at Fez.

El Mokri came to see me yesterday afternoon. He wished, he said, to express to me his sincere sympathy in the great loss which Great Britain and the whole world had sustained by the death of King Edward; he could only hope that the bonds which united our two countries under the last reign might be drawn yet closer under the reign of King George. I availed myself of this opportunity to give him a very severe lecture on the attitude of the Maghzen during the fourteen months which had elapsed since I had bid farewell to his Excellency at Fez. I had then been full of hope after the assurances given to me by the Sultan that His Shereefian Majesty genuinely intended to do all in his power to introduce reforms into the government of the country, to redress grievances, and to see that justice was done. He had regretted to me in conversation that the bonds which for generations had united our two countries appeared to him recently to have slackened, and expressed the hope that they might be drawn closer. I had replied that the matter rested in his hands; that His Majesty's Government fully recognised the difficulty of the situation in which he was placed, and would not ask for the impossible! All they required was some proof of good-will and of a desire on the part of His Majesty to improve the conditions existing for foreigners in his country, and to redress the wrongs of British subjects. Unfortunately, no such proof had been forthcoming. All the cases which I had represented to His Shereefian Majesty and to his Government had remained unsettled. Lately, moreover, so far from doing what I had asked through His Majesty's consul at Fez, the Sultan had given orders in an exactly opposite sense. The patience of His Majesty's Government was not eternal; their demands would have to be satisfied in the long run, and I could only qualify as most shortsighted a policy which had in reality no other result than to exasperate His Majesty's Government and to alienate any feelings of friendship which they may have had before for the Maghzen. I was glad, I said, that el Mokri was going up to Fez almost immediately, for I knew that he had great influence with the Sultan, and I hoped that his enlightened counsels would prevail with His Shereefian Majesty.

El Mokri said that he regretted very much what I told him; that he set the greatest store by the friendship of Great Britain, as also did the Sultan, and that he could only believe that the demands made by me had not been clearly understood. I could, he said, count upon the speedy and just settlement of all claims submitted to the sub-commissions, and he personally would inquire into and arrange those presented by His Majesty's consul at Fez.

He had, he said, received instructions when at Paris from the Sultan to proceed to London on a mission, where he had hoped to meet me and settle up all the cases pending between our two Governments. This, however, had been rendered impossible by the calamity of the King's death. I told him that I thought it very premature to speak of missions, and that it was better that it should be clearly understood that before any mission could be received in London, some proof must be given by the Maghzen in Morocco that they intended to modify their attitude of obstruction and delay in all matters affecting the interests of British subjects and of foreigners generally throughout the Empire.

El Mokri is a clever, pleasant man, and after these somewhat hard truths the conversation turned into pleasanter channels, and we parted the best of friends.

I have, &c.
REGINALD LISTER.

[21758] No. 161.

Mr. Lister to Sir Edward Grey.—(*Received June* 18.)

(No. 99.)

Tangier, June 11, 1910.

Sir,

IN continuation of my despatch No. 92 of the 5th instant, the British consular agent at Alcazar reports, in a letter dated the 10th June, that fifty of Raisuli's mounted soldiers arrived at Alcazar on the previous day bringing with them Shereefian letters which were read in the mosque, and in which the Sultan appointed Raisuli Basha of Alcazar and the district.

Kaid R'Miki, who is supposed to have got wind of this, left Alcazar early the

same morning. His brother and nephew with 600 of the worst characters of the tribe are encamped an hour from Alcazar, and have sent a circular letter to the consular body to the effect that if Raisuli's soldiers do not leave Alcazar at once they will come into the town and kill them, and that if anything happens to the Europeans the responsibility lies with Raisuli. Mr. Carleton has replied that the tribe will be held responsible for any damage done.

It appears that the Spanish consular agent is absent, and that he left a British subject, Mr. Engerer, in charge of Spanish interests. Mr. Engerer, Mr. Carleton reports, has been to Kaid R'Miki's house and removed what remained on the latter's property to his own house. Mr. Carleton warned him of the risk he was running by thus interfering in internal politics, but Mr. Engerer replied that he represented Spain and that the Kaid was a Spanish protégé.

I thought it better to mention the matter to my Spanish colleague, in order that there might be no misunderstanding should Mr. Engerer get into trouble and then invoke his British nationality. M. Merry del Val replied that Mr. Engerer was certainly acting as Spanish consular agent. A Semsar certificate had, he said, been granted to Kaid R'Miki only quite recently, subsequently, in fact, to the appointment of Raisuli as Basha of Alcazar. The Kaid had always behaved very well as far as the Spaniards were concerned, and they wished him to be safe from any possible reprisals after his destitution; he had, however, been given clearly to understand that the protection only lasted as long as he behaved himself and did not stir up trouble.

The complaints of the lavish grants by the Spanish authorities of Spanish protection continue to reach me from every side.

I have, &c.
REGINALD LISTER

P.S. *June* 13.—I have this morning received a letter from Mr. Carleton informing me that the 600 tribesmen under Kaid R'Miki's brother and nephew have been disbanded, and that quiet prevails.

R. L.

[21759] No. 162.

Mr. Lister to Sir Edward Grey.—(*Received June* 18.)

(No. 100.)
Sir, *Tangier, June* 13, 1910.

WITH reference to my despatch No. 97 of the 10th instant, I am informed that at the official dinner given by the French Minister last Saturday, el Mokri, Guebbas and all the various Moors made no attempt to deny the truth of the reports of the tortures inflicted on Ben Aissa, his wife and his son. El Mokri appears to have said that it was most unfortunate that the Sultan should have chosen this particular moment to indulge in such excesses. Guebbas said that, after comparing the dates, he had arrived at the conclusion that the wife of Ben Aissa must have been tortured on the day that the Sultan wrote his famous letter to the doyen! The insolence and cynicism of the whole thing, in addition to the cruelty, are revolting, and it is exasperating that the Sultan should think that he can afford to snap his fingers in the face of all the Powers.

Dr. Verdon, in a private letter to me, dated the 7th June, writes: "The people of Fez are convinced that the stories are true, and Hafid is intensely hated by all classes. Old-fashioned Fezees ask me why the Europeans allow such things to be done, which is interesting when one remembers the feelings of the same Fezees towards all Europeans a few years ago."

M. Regnault was here yesterday afternoon, and says that he personally considers Hafid is an impossible man to deal with, and the sooner the French Government realise it the better. Apparently, however, el Mokri has asked to be given time, and has assured them that he will be able to induce his Imperial Master to change his ways.

I have, &c.
REGINALD LISTER.

[21760] No. 163.

Mr. Lister to Sir Edward Grey.—(*Received June* 18.)

(No. 101.)
Sir, *Tangier, June* 13, 1910.

I HEAR from His Majesty's consul at Fez that the Turkish officers have told Sergeant Balding that the Sultan has now definitely dismissed them, and is giving each of them a present in money in addition to their pay and their travelling expenses back to Turkey. They will leave Fez as soon as they can cash the orders given.

Mr. MacLeod tells me that he hears that the Sultan is now trying to farm out the tithes on the crops in the neighbourhood of Fez by an arrangement according to which he is to get a lump sum in advance from the tax-farmers. Hitherto these dues appear not to have been rigorously exacted, and many people, such as shereefs, have been wholly or partially exempted. If the proposed arrangement comes into force it is not likely that the tax-farmers will be so easy-going, and the unpopularity of the Sultan will doubtless be increased.

I have, &c.
REGINALD LISTER.

[22036] No. 164.

Mr. Lister to Sir Edward Grey.—(*Received June* 20.)

(No. 102.)
Sir, *Tangier, June* 14, 1910.

I AM informed by His Majesty's consul at Casa Blanca that the principal instigators of the anti-Christian outbreak in that port of August 1907 have been sent to Algeria, where they are to purge the sentence of imprisonment for life, inflicted upon them by the French authorities after their arrest in the Shawia. Mr. Madden learns privately from a native source that the Viceroy El Amrani received orders from the Sultan authorising the removal of these prisoners from Morocco, and instructing him that their case is to be considered as finally settled by the decision of the military tribunal which judged them. None of the proceedings of the court have, however, been made public.

I have, &c.
REGINALD LISTER.

[22470] No. 165.

Sir M. de Bunsen to Sir Edward Grey.—(*Received June* 23.)

(No. 83.)
Sir, *Madrid, June* 20, 1910.

I HAVE again seen Mr. Macpherson, of the Spanish Riff Mining Company, on his way back from Melilla to Paris, where he has been watching the proceedings of the Morocco Mining Regulations Conference. He was in touch with the Spanish delegate to the conference, and seems to have an inkling of its conclusions. So far as he understands them, he considers that they are fairly satisfactory from the Spanish point of view. He assigns the chief merit in this respect to Sir Henry Cuninghame, who he states was the soul of the conference, and mainly instrumental in keeping at bay the exorbitant pretensions of the Mannesmann group, as put forward and tentatively supported by the German delegate.

Mr. Macpherson informs me that the Spanish railway from Melilla to Beni-bu-Frur mines is practically completed. Against the strong opposition of the German element represented on the Spanish company, he succeeded in procuring for a British firm the contract for an aerial wire and trolleys for the conveyance of the mineral to the railway trucks. He is endeavouring likewise to place in British hands the orders for locomotives and other rolling stock. He states that he has to contend with the usual difficulty, that the competing German tenders are presented in Spanish and better drawn up than the English ones.

Being convinced that the strongest evidence in support of claims to mining property which could be brought before the proposed court of arbitration to be nominated by the Lausanne tribunal will be constituted by proof of the actual

occupation and working of the mines claimed, the Spanish company intend to display great energy in bringing into use its plant as a plain demonstration of such *de facto* possession and exploitation.

I have, &c.
M. DE BUNSEN.

[22597] No. 136.

Señor de Villa Urrutia to Sir C. Hardinge.—(*Received June* 23.)

(Confidential.) *Spanish Embassy*, 1, *Grosvenor Gardens, S.W.*, *June* 22, 1910.

Dear Sir Charles,

I HAVE a telegram with the explanation that I could not give you on Monday about the naturalisation affair, for which I called on you.

A Moorish Jew, resident in Spain for many years, became a Spaniard by naturalisation, and having returned now to his native country, the Sultan's delegate at Tangier, Guebbas, has declared that he will not consider him as an alien nor accept the naturalisation of Moorish subjects residing in a foreign country.

The Spanish Government are going to lodge a protest before the Maghzen in Fez, against the erroneous interpretation given by Guebbas to article 15 of the Madrid Convention, and as this point is very important for the prestige of Spain in Morocco and may raise some difficulties, I am instructed to lay the matter before the British Government, hoping you will give us your support in Fez.

Yours sincerely,
W. R. DE VILLA URRUTIA.

[21578] No. 167.

Sir Edward Grey to Mr. Lister.

(No. 76.) *Foreign Office, June* 23, 1910.

Sir,

I TRANSMIT to you herewith twelve copies of the report of the British representative on the Casa Blanca Claims Commission. I regret that, owing to circumstances which have been explained to you, a number of discrepancies appeared in the list of claims awarded as originally prepared, which it has taken considerable time to clear up. It was therefore not possible to send you final copies of the report at an earlier date.

You will have learnt from my telegram No. 18 of yesterday that the total expenses of the British commissioner were 5,682*l.* 8*s.* 11*d.* I presume that on receipt of my telegram No. 13 of the 18th ultimo you claimed formally from the Makhzen the repayment of these expenses, but, not being in possession of Mr. Thorne's report, you will have been unable up till now to take the action suggested in your despatch No. 57 of the 31st March last, *i.e.*, to request Cid Guebbas to place the total sum awarded to British claimants at the disposal of His Majesty's legation. I hereby authorise you to take steps in this sense.

I transmit to you herewith a copy of a letter from Mr. Thorne,* calling attention to the desirability of informing those claimants, whose awards appeared incorrectly in the original table, of the real amounts awarded. I should be glad if you would instruct His Majesty's consul at Casa Blanca in the sense desired.

I hope to receive from you shortly a report showing the steps you have taken and the present position of the matter, with special reference to the question of obtaining the full expenses of the British commissioner from the Makhzen, and the deduction of 5 per cent. from British awards which hinges thereon.

I am, &c.
E. GREY.

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* No. 37.

[20735] No. 168.

Foreign Office to Board of Trade.

Sir, *Foreign Office, June* 23, 1910.

I AM directed by Secretary Sir E. Grey to transmit herewith, for the consideration of the Board of Trade, copies of the draft mining law for Morocco and protocol, which were signed on the 7th June by the delegates of Great Britain, France, Germany, and Spain.*

The arrangements recorded in these documents are, in Sir Edward Grey's opinion, satisfactory, and he proposes, should Mr. Baxter see no objection, to accept definitely the draft law as it now stands on behalf of His Majesty's Government.

I am, &c.
W. LANGLEY.

[20735] No. 169.

Foreign Office to Sir H. Cunynghame.

Sir, *Foreign Office, June* 23, 1910.

I AM directed by Secretary Sir E. Grey to acknowledge the receipt of your letter of the 9th instant, informing him that a draft mining law for Morocco and protocol was signed on the 7th June by the delegates of Great Britain, France, Germany, and Spain, and enclosing copies of the documents in question.

Copies of the draft law and protocol will be communicated to the Board of Trade with the proposal that the former should be accepted without alteration by His Majesty's Government. Sir Edward Grey desires me to take this opportunity of expressing to you his cordial appreciation of the manner in which you have performed your duties as British delegate. You have throughout the negotiations represented the views of His Majesty's Government with great skill and untiring patience, while the tact and ability you have displayed have, Sir Edward feels, contributed in a high degree to the satisfactory arrangements now embodied in the draft law.

I am, &c.
W. LANGLEY.

[22927] No. 170.

Mr. Lister to Sir Edward Grey.—(*Received June* 27.)

(No. 104.) *Tangier, June* 17, 1910.

Sir,

HADJ MOHAMMED-EL-MOKRI dined with me last night very quietly. He is a man who has always kept his own counsel and declined to be "drawn," but I gather from reports of various conversations with private persons which he had at the beginning of the week that he took a very pessimistic view of the situation. He appears to have said that he had been surprised at finding the excitement which prevailed in Tangier as to the question of who should be Sultan. It appeared to him immaterial whether one Moulai or another occupied the throne: the fact remained the same, that the Maghzen was practically ruined. He did not believe that as much as 2,000,000 fr. a-year would remain to them when the service of the loan and all the various other charges had been paid. The only chance for the Maghzen of carrying on the Government at all, as far as he could see, was that they should efface themselves completely, that no sort of obstruction should be placed in the way of the execution of public works of all kinds—ports, railways, &c.—and that they should trust to an influx of foreign capital into the country which would develop its resources and swell its revenue.

Last night Mr. White and I had some conversation with him, although it was up-hill work. He said that he thought things looked rather brighter than they had; that the medicine administered was beginning to work, and that the Sultan and Government realised the necessity of adopting a more liberal and progressive policy.

* See enclosure in No. 152.

He repeated the hope that money might be obtained from public works, and did not seem to think that such foreign enterprises would excite the hostility of the people; they were, he said, now all thoroughly sick of the present situation, and would consider any change to be one for the better.

He is leaving very shortly for Fez, and I understand that he begged the French Government to grant him a certain period of time, during which he would do his utmost to induce the Sultan to realise the situation and change his ways. He told Mr. White that he was convinced that Glawi was perfectly well aware that the present policy could only lead to disaster.

It will be interesting to see whether he carries out his alleged intentions, which will require a certain amount of courage, and, still more, whether they lead to any result. I am inclined to doubt whether this later change to optimism is genuine; I sometimes even wonder whether he really holds the more enlightened view which he professes.

There appears to be no doubt that he was excessively difficult in the loan negotiations, and fought up to the very last. At the same time he has, since his arrival at Tangier, definitely granted a tract of land on the Marshan to the French Government for the creation of a Pasteur institute in spite of serious opposition offered by Guebbas, who told him that he was taking too much upon himself, that the land was very valuable, and that he was wrong to sign it away without definite instructions from the Sultan. This shows that he is prepared to take a considerable amount of responsibility.

I have, &c.
REGINALD LISTER.

[22929] No. 171.

Mr. Lister to Sir Edward Grey.—(Received June 27.)

(No. 106.)
Sir, *Tangier, June 19, 1910.*

I AM informed by Sergeant Balding that he has at last been able to obtain his arrears of pay up to date with the exception of 83 dollars Hassani (about 11*l.* 15*s.*). This sum he expects to get eventually.

His claims for losses when with the ex-Sultan at the time of his final disaster and during the Beni M'Tir campaign have been submitted to the Tangier sub-commission.

I have, &c.
REGINALD LISTER.

[22930] No. 172.

Mr. Lister to Sir Edward Grey.—(Received June 27.)

(No. 107.)
Sir, *Tangier, June 19, 1910.*

THE arch agitator and old enemy of the French in the Sahara, Sheikh Ma-el-Aineen, arrived at Marakesh on the 5th instant, and left for Demnat and Fez a few days later.

The object of his visit, I am told by M. Regnault, is to stiffen the Sultan's back against the French, and to try and obtain money to fight them in his own country. His financial position does not appear to be very brilliant, as I understand that he is obliged from time to time to sell a camel to meet his travelling expenses.

I have, &c.
REGINALD LISTER.

[22931] No. 173.

Mr. Lister to Sir Edward Grey.—(Received June 27.)

(No. 108.)
Sir, *Tangier, June 20, 1910.*

THE news from Fez during the past week is more reassuring. Moulai-el-Kebir has returned into the Ghiata tribe; some fractions of the Hiaina tribe have laid down their arms; the Tsoul have agreed to keep quiet provided they are left alone by the

Government troops; and a certain number of the troops who were with Moulai-el-Kebir have been disbanded.

Mr. Macleod is somewhat sceptical as to the apparent improvement in the situation, and thinks the lull is only temporary and will only last until the harvest is over.

I have, &c.
REGINALD LISTER.

[21756] No. 174.

Sir Edward Grey to Mr. Lister.

(No. 78.)
Sir, *Foreign Office, June 27, 1910.*

I HAVE received your despatch No. 97 of the 8th instant, reporting the horrible cruelties inflicted on the wife and family of Ben Aissa.

It is difficult to see what steps can usefully be taken to punish the Sultan, who is, of course, really responsible for these outrages. Representations would have no effect, except to provoke him to further cruelties; to withdraw the British representatives would be equally futile; and refusal to recognise him would probably delay his deposition by his own people, and might to some extent revive his popularity.

At the same time this action on the part of Mulai Hafid almost immediately after the note in which he announces his intention of abandoning such atrocities is an insult to the Powers, and you might consult your French colleague as to whether he can suggest any means of bringing pressure to bear upon the Sultan.

I am, &c.
E. GREY.

[22597] No. 175.

Sir Edward Grey to Señor de Villa Urrutia.

Your Excellency, *Foreign Office, June 29, 1910.*

WITH reference to the communications which your Excellency was good enough to make on the 20th and 22nd instant, requesting that His Majesty's Government will support the representations which the Spanish Government are addressing to the Moorish Government with regard to the naturalisation of a Moorish Jew who has acquired Spanish nationality, I have the honour to express my regret that I cannot come to a decision in the matter without fuller information than is at present at my disposal. I have therefore instructed His Majesty's representative at Tangier to furnish me with a report on the subject, on the receipt of which I shall have the honour of addressing a further note to your Excellency.

I have, &c.
E. GREY.

[22597] No. 176.

Sir Edward Grey to Mr. White.

(No. 80.)
Sir, *Foreign Office, June 29, 1910.*

I TRANSMIT to you herewith copies of certain papers, as marked in the margin,* relative to the request of the Spanish Government that His Majesty's Government will support the representations they are making to the Moorish Government respecting the naturalisation of a Moorish Jew who has acquired Spanish nationality.

The question would appear to hinge on the interpretation given to article 15 of the Madrid Convention, and of its application to the special circumstances of the particular case, with which I am not acquainted. I shall be glad to receive a report on the subject, with an indication of your views as to the justice or otherwise of the Spanish contention.

I am, &c.
E. GREY.

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* See [22264]; and No. 175.

[23890] **No. 177.**

Mr. Lister to Sir Edward Grey.—(Received July 4.)

(No. 109.)

Sir,

Tangier, June 23, 1910.

WITH reference to my despatch No. 105 of the 17th instant, I have the honour to transmit herewith copy of a despatch I have received from His Majesty's consul at Casa Blanca, reporting that the deputy of the former cadi at that place is to act as cadi until a settlement is arrived at in regard to the appointment of a new cadi.

I have, &c.

REGINALD LISTER.

Enclosure in No. 177.

Consul Madden to Mr. Lister.

(No. 91. Confidential.)

Sir,

Casa Blanca, June 21, 1910.

WITH reference to my despatch No. 86, Confidential, of the 14th instant, I have the honour to inform you that the difficulty brought about by the objections of the French civil and military authorities to the appointment by Mulai Hafid of a new cadi have been temporarily got over by installing in the office of cadi a prominent adel (notary), who is doing duty as khalifa of the old cadi.

It appears that owing to the deadlock caused by there being no cadi in office here, that the Shereef L'Amrani wrote to the general, and asked him what should be done, as he refused to recognise the new cadi. The general did not reply in writing, but sent for the old cadi, and asked him to remain on duty. The old cadi, however, said that this would be impossible, as he had received a letter from Hafid terminating his appointment. He proposed as being legal that his khalifa should act meanwhile, which was agreed to.

I hear that the new cadi paid 300 louis to the Glawi for his post, which, in consequence, he does not wish to lose. The old cadi has now, I am informed, taken steps, by sending a present to Hafid, to be retained here in his old appointment as judge.

I have, &c.

A. M. MADDEN.

[23891] **No. 178.**

Mr. Lister to Sir Edward Grey.—(Received July 4.)

(No. 110. Confidential.)

Sir,

Tangier, June 25, 1910.

I HAVE the honour to transmit herewith an article from a local French paper, the "Dépêche Marocaine," describing some interesting military operations lately carried out by the troops under General Moinier's command.*

The two columns penetrated into the interior beyond the limits of the Shawia province, but made no stay at any place. They apparently met with no hostile demonstrations, the natives being ready to sell to them at a good price such provisions, &c., as they required.

The ostensible object of these operations was to restore confidence in these districts and protect the people from the rapacity of the famous Ma-el-Aineen and his savage hordes, who were passing on their way from Marakesh to Fez. It would however appear, from a confidential conversation Mr. White had yesterday with M. de Billy, the French chargé d'affaires, that the French hoped to intercept Ma-el-Aineen, in which case he would have been seized and removed as a prisoner on the grounds that he is the instigator of the attacks on the French in Mauretania. M. de Billy observed that they are entitled to pursue on Moorish territory persons who have disturbed the peace on French territory, and that therefore they would be justified in effecting the arrest of Ma-el-Aineen should their troops come across him.

* Not printed.

The exact whereabouts of Ma-el-Aineen were not known; he had passed by Tadla, and was believed to be on his way to Fez by Knifra and Azran through mountain tribes, into which the French would not be likely to penetrate.

I have, &c.

REGINALD LISTER.

[23892] **No. 179.**

Mr. White to Sir Edward Grey.—(Received July 4.)

(No. 111.)

Sir,

Tangier, June 26, 1910.

I HAVE the honour to transmit herewith translation of a letter addressed by Cid Mokri to the doyen of the diplomatic body, drawing attention to the necessity of establishing municipalities at all the ports in accordance with article 3 of the regulations regarding the tax on town buildings.

Cid Mokri states his views on the general principles on which the regulations creating these municipalities should be framed, and adds that if the diplomatic body accepts these principles he will have regulations drawn up for submission to them.

The circular came to me first, and then passed on to the French chargé d'affaires. We observed that the matter was one which required serious study before the expression of any opinion in regard to the suggestion of Cid Mokri.

It appears to me at first sight that the scheme is inacceptable in its present form, for though it is right that the Moorish element should be fully represented in the municipality it would, I think, be a fatal mistake to allow them a clear majority either on the proposed Municipal Council with president's casting vote, or on the Administrative Council. This would be tantamount to giving the Makhzen the control of the municipality. It must be remembered that these municipalities are only to be established at the ports, where foreigners and protected persons will pay by far the greater part of the house taxes.

I have, &c.

H. E. WHITE.

Enclosure in No. 179.

Cid Mokri to Count de Martens-Ferrão.

(Traduction.)

Louange à Dieu seul.

(Compliments.)

VOTRE Excellence n'ignore pas que l'article 3 du Règlement sur la Taxe urbaine prévoit la création de municipalités dans tous les ports de la côte; ces municipalités devront être organisées dans un délai de deux ans, d'accord avec le Makhzen chérifien et le corps diplomatique.

D'autre part, le procès-verbal de la séance plénière tenue le 6 avril, 1909, donne le compte rendu de la discussion entre les délégués chérifiens et les délégués des honorables Puissances. Dans ces conditions il m'a paru nécessaire de poser les principes généraux de ce règlement pour vous le soumettre; ceci fait, ce travail serait soumis à l'approbation de Sa Majesté chérifienne.

Le premier principe sur lequel on doit tomber d'accord est le suivant:—

La municipalité se composera d'un Conseil municipal et d'un Conseil d'Administration.

Le Conseil municipal sera composé de treize membres indigènes et d'un même nombre d'étrangers.

Les étrangers seront élus parmi ceux qui payent la taxe urbaine pour une quotité qui sera fixée par accord, ou qui payent un loyer qui ne devrait pas être inférieur à un taux à déterminer également.

On choisira dans la première catégorie neuf membres, et dans la seconde catégorie quatre membres.

L'élection des indigènes sera faite par le Makhzen, à condition qu'ils puissent remplir les mêmes conditions que celles imposées à cet égard aux étrangers.

Le Makhzen désignera parmi les membres indigènes le président du Conseil municipal.

Quant au Conseil d'Administration, il sera composé du président, nommé, comme

il a été dit précédemment, et de deux délégués, dont l'un sera élu par le Conseil municipal parmi les membres étrangers et l'autre élu parmi les membres indigènes.

Le Conseil municipal élira également en surplus un membre indigène et un membre étranger, et sera adjoint à ces membres un ingénieur désigné par le Makhzen parmi les ingénieurs des Travaux publics, ainsi qu'un médecin également choisi par le Makhzen.

Tels sont les principes généraux et fondamentaux.

Si le corps diplomatique, dont vous faites partie, adhère à ces principes, un règlement sera élaboré et vous sera soumis afin qu'il puisse entrer en application tout d'abord à Tanger à titre d'essai, et pour servir d'exemple aux autres ports; au bout d'un certain temps il sera mis en application dans les autres ports.

(Compliments.)

MOHAMMED-EL-MOKRI.

Tanger, le 12 *jumad* II, 1328
(18 *juin*, 1910).

[23916] No. 180.

Sir E. Gorst to Sir Edward Grey.—(Received July 4.)

(No. 89.)

Sir,

Ramleh, June 27, 1910.

WITH reference to your telegram No. 34 of the 2nd June, I have the honour to report that the ex-Sultan Abdul Aziz of Morocco arrived in Egypt on the 17th instant, and left on the 25th instant for Beirout, to continue his tour. I was prevented by indisposition from receiving Abdul Aziz personally during his short stay in Alexandria, but His Majesty's agency was represented on his arrival and departure, and the ex-Sultan was accompanied during the whole of his stay by Captain R. E. M. Russell, R.E., of the Egyptian army.

Abdul Aziz exchanged visits with the Regent, and received a call from the French chargé d'affaires, but preserved the private character of his journey throughout his stay, which was not marked by any incident calling for comment. He spent a number of days in Cairo, where, as in Alexandria, most of his time was spent in sightseeing and in visiting mosques and places of public interest. Among these was the University of El Azhar, where he was entertained with some ceremony by the Moslem dignitaries. From Cairo excursions were made to Ismailia and Tantah, the former at the invitation of the Suez Canal Company. While in the capital the ex-Sultan saw a large number of his compatriots, and was the recipient of a certain amount of hospitality in an informal way, meeting among other persons the Minister of Justice at a dinner to which he was invited. He was, however, very careful, apparently, to avoid any political discussion, and observed the greatest reserve in the case of the few newspaper correspondents to whom he accorded short conversations.

Abdul Aziz expressed great satisfaction with his visit and the manner of his reception, and much appreciated the services of Captain Russell. This officer appears to have acquitted himself of his somewhat arduous duties with every success, and I beg to recommend that a copy of this despatch should be communicated to the Army Council for their information on this point.

I have, &c.
ELDON GORST.

[24562] No. 181.

Mr. White to Sir Edward Grey.—(Received July 8.)

(No. 41.)

(Telegraphic.) *Decode.*

Tangier, July 7, 1910.

MR. LISTER'S No. 88 of the 28th May. Article 17 of regulations, French and German legations have fixed 3 per cent., *i.e.*, 1 per cent to each arbitrator. Spanish legation, sliding scale varying from 3 per cent. per arbitrator on claims up to 400*l.*, diminishes by $\frac{1}{4}$ per cent. to 2 per cent. on claims above 4,000*l.* What percentage should I fix?

[24699] No. 182.

Mr. White to Sir Edward Grey.—(Received July 9.)

(No. 116. Confidential.)

Sir,

Tangier, July 1, 1910.

I HAVE the honour to transmit herewith translation of a letter addressed by Cid-el-Mokri to the dean of the diplomatic body, drawing attention to the extent to which protection has been granted to Moorish subjects beyond the limits prescribed in the Madrid Convention, and requesting that the matter be discussed between himself and the foreign representatives.

The Spanish and Italian Ministers raised the question of the competence of Cid-el-Mokri, who is Minister of Finance, to discuss the question directly with the foreign representatives, observing that Cid Guebbas is the proper person. The majority of the representatives, however, decided that the doyen should satisfy himself that the Sultan has appointed Cid Mokri to discuss the matter with us. In that case, no objection can be raised, as there are numerous precedents for Moorish officials being specially appointed to discuss certain matters with the diplomatic body.

It is, I believe, the wholesale manner in which Spanish protection, and even naturalisation, has been granted to Moorish officials and influential persons that has prompted the Sultan to bring the question forward, the celebrated Kaïd-el-R'miki being amongst those who have lately received Spanish protection. A considerable number of influential Moors have, I understand, lately become naturalised Spanish subjects, without having ever even visited that country, and on the Makhzen's addressing a protest on the subject they were curtly informed that by Spanish law the King can grant Spanish naturalisation to any person he pleases without conditions as to residence, &c. It was pointed out that the terms of article 15 of the Madrid Convention are precise on this subject, but the Spanish Government declined to entertain this objection. This information was communicated to me confidentially by the French chargé d'affaires, who added that the tone adopted by the Spanish Government was such as to make it appear that they wished to force a rupture of relations.

Cid-el-Mokri is leaving for Fez very shortly, so it is not probable that any discussion will take place until his return. His Excellency informs me, however, that he will make only a short stay at the court, and will probably be back in about a month's time.

I have, &c.
HERBERT E. WHITE.

Enclosure in No. 182.

Mohammed-el-Mokri to Count Martens-Ferrão.

(Traduction.)

(Compliments.)

LE droit de protection reconnu par les traités aux Puissances étrangères a pris des proportions exagérées et il sort actuellement des limites fixées par la Convention de Madrid. L'attention du Makhzen a dû être appelée d'une façon toute particulière sur cette question. Comme le Makhzen a le vif désir de remédier à cet état de choses, qui ne peut que nuire au bon fonctionnement de l'administration chérifienne et y apporter des entraves, notre Maître (que Dieu l'assiste!) m'a ordonné de demander l'appui des honorables représentants des Puissances à ce sujet, car Sa Majesté chérifienne désire tout particulièrement que le corps diplomatique accepte de mettre cette question à l'ordre du jour dans une de ses premières séances; Sa Majesté chérifienne désire également que le corps diplomatique examine les moyens propres à réaliser l'application des clauses de la Convention de Madrid conformément aux principes sur lesquels elles ont été établies, sans que cela concerne la protection elle-même ni la perception des impôts achour et zakats, en attendant que soit mis en application le règlement du tertib mentionné dans l'Acte général de la Conférence d'Algéciras.

(Compliments.)

MOHAMMED-EL-MOKRI.

Tanger, le 12 *jumad II*, 1328
(19 *juin*, 1910).

[24702] No. 183.

Mr. White to Sir Edward Grey.—(Received July 9.)

(No. 119.)

Sir, *Tangier, July 2, 1910.*

IN the second paragraph of his report on the Casa Blanca Claims Commission, of which copy was transmitted in your despatch No. 76 of the 23rd ultimo, Mr. Thorne states:—

"I arrived at Tangier on the 14th September, and was informed by Mr. White, the chargé d'affaires, that the commission would not be sitting yet awhile, as the Moorish commissioners were afraid to sit without the authorisation of Mulai Hafid. I have learnt that the other Foreign Offices were communicated with by telegraph to this effect, whereas Mr. White contented himself with writing a letter, which arrived at the Foreign Office after I had left England."

I beg leave, in justice to myself, to make the following observations on the above statement of Mr. Thorne:—

This legation had been informed that the date appointed for the resumption of the sittings of the International Commission was the 21st September. I had no reason to suppose that the sittings would not be resumed at that date until early in September, when a report reached me that the Moorish commissioners were leaving Casa Blanca. This I at once reported in my despatch No. 222 of the 5th September, stating that the French Minister was causing enquiries to be made, and that I should report further as soon as definite information was received. On the 12th September, having ascertained definitely that the commission could not resume its labours at the time appointed, I reported the fact in my telegram No. 56 of the 12th September.

I have made enquiries at the other legations, and find that they did not inform their Governments of the suspension of the sittings at an earlier date than I did.

I have, &c.
HERBERT E. WHITE.

[24703] No. 184.

Mr. White to Sir Edward Grey.—(Received July 9.)

(No. 120.)

Sir, *Tangier, July 3, 1910.*

WITH reference to my despatch No. 110 of the 25th ultimo, I have the honour to transmit herewith a cutting from the "Dépêche marocaine,"* which, the French chargé d'affaires tells me, contains an accurate account of the operations conducted by General Moinier near Tadla.

M. de Billy informs me that the troops are now in Beni Miskeen, where the general is occupied in settling a dispute between two factions of that tribe.

I further beg leave to transmit another cutting from the "Dépêche marocaine" reporting an interview with Cid-el-Mokri.* The French chargé d'affaires informs me that his Excellency was much perturbed at the news from Tadla, fearing that it might undo the good effects of his mission to Faris. He addressed a letter to M. de Billy in much the same terms as the language held to the reporter of the "Dépêche." M. de Billy, however, had a conversation with his Excellency on the subject and succeeded in reassuring him.

M. de Billy added that the news was very calmly received at Fez, and gave rise to no protest on the part of the Makhzen. The Sultan in fact appeared somewhat relieved, as he recognised the embarrassing position in which Ma-el-Aineen's presence at Fez would place him. His Majesty has now, indeed, addressed a letter to the powerful chief of the Oulad Zaian tribe instructing him to prevent Ma-el-Aineen from proceeding to Fez should he have reached that tribe. The reports as to the whereabouts of this chief are conflicting. Some say that he escaped to Oulad Zaian, whilst other reports are to the effect that he either returned to Demnat or is on his way to Tafilelt.

I have, &c.
H. E. WHITE.

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* Not printed.

[24704] No. 185.

Mr. White to Sir Edward Grey.—(Received July 9.)

(No. 121.)

Sir, *Tangier, July 3, 1910.*

I HAVE the honour to report that Cid Abdessadok, the Moorish High Commissioner on the Algerian frontier, accompanied by his staff, left Tangier yesterday for Algiers, where he will confer with the Governor-General of Algeria before proceeding to the frontier to take up his duties.

I have, &c.
H. E. WHITE.

[24705] No. 186.

Mr. White to Sir Edward Grey.—(Received July 9.)

(No. 122.)

Sir, *Tangier, July 3, 1910.*

WITH reference to Mr. Lister's despatch No. 91 of the 3rd ultimo, I have the honour to report that the various sub-commissions have commenced the examination of the foreign claims, some of which have already been disposed of. The number of claims to be dealt with is considerable, and the commissioners will have their time fully occupied if they are to examine them all within the appointed time. The French Arbitrator has already arrived, but I think it will be better to wait till we see what British claims are referred to arbitration before appointing the British Arbitrator.

I am informed confidentially by the director of the State Bank that, after payment of all the privileged debts and the "liquidated claims," there will probably only remain a sum of about 4,000,000 fr. to meet the other claims, which will, I should think, considerably exceed that sum.

I have, &c.
H. E. WHITE.

[24562] No. 187.

Sir Edward Grey to Mr. White.

(No. 20.)

(Telegraphic.) P. *Foreign Office, July 9, 1910.*

YOUR telegram No. 41: Claims Commission.

Why is it necessary to fix rate of deposit immediately? Scale of remuneration of arbitrator must surely depend on amount of claims left for arbitration, and on class of persons selected as arbitrators.

Please report whether any decision has been taken on this latter point (see your despatch No. 29).

[24834] No. 188.

Mr. White to Sir Edward Grey.—(Received July 10.)

(No. 42.)

(Telegraphic.) P. *Tangier, July 10, 1910.*

WITH reference to your telegram No. 20: Appointment of arbitrators.

Notice of appeal must be made and security deposited within forty days after commission has given decision, in conformity with article 6 of the regulations.

A good effect would also, I think, be produced by claimants and commission being brought to realise expense of arbitration.

It is provided in article 22 that arbitrators sit at same time as commission.

There is, however, up to the present only one English claimant who desires arbitration, and has enquired amount of deposit. It therefore appears to me that there is no immediate necessity for appointment of arbitrator.

[24834] No. 189.

Sir Edward Grey to Mr. White.

(No. 21.)

(Telegraphic.) P. *Foreign Office, July* 12, 1910.

YOUR telegram No. 42 of the 10th July: Claims Commission.

Amount of deposit should be fixed at 3 per cent. Would it be possible for this to be a provisional arrangement and claimant informed accordingly?

I should be glad to know as soon as possible what amount would be available at this rate of 3 per cent. for the remuneration of British arbitrator, and also what class of person should in your opinion be chosen for this duty.

[25848] No. 190.

Mr. White to Sir Edward Grey.—(Received July 18.)

(No. 123.)

Sir, *Tangier, July* 7, 1910.

UPON receipt of your despatch No. 54 of the 30th April, Mr. Lister addressed a circular despatch to the consular officers, requesting them to furnish him with a report upon the present state of the prisons in this country. I have the honour to transmit herewith extracts from the reports which have been received, which show that the condition of the prisons is very unsatisfactory at all places except Tetuan, Laraiche, Casa Blanca, Mazagan, and one prison at Mogador.

The only means I can suggest for obtaining an improvement in the state of the prison is that a representation be made to the Sultan, calling his attention to the regulations formerly made by Mulai Abd-el-Aziz on the subject, and requesting His Majesty to reinforce them. I am aware that it is useless to appeal to feelings of humanity when dealing with Mulai Hafid, but it is possible that His Majesty may agree to this proposal from a desire to counteract the bad impression created by his cruelties.

Appeals to local officials to incur expense to alleviate the lot of the unfortunate prisoners have but little effect. It is only after repeated messages to Cid Guebbas, and when I informed him that I was reporting on the matter to His Majesty's Government, that his Excellency said that he would give orders that everything necessary should be done. The result I find, however, is merely ten small loaves of bread and three skins of water a-day at each of the Tangier prisons, and five small mats at each.

Unfortunately, the effect of the action of charitable persons who send provisions, &c., to the prisons is merely to encourage the Moorish authorities to reduce their doles to the prisoners.

I have, &c.

HERBERT E. WHITE.

Enclosure in No. 190.

Extract from Prison Reports.

Alcazar.

THE present state of the prison of Alcazar is terrible. It has not been cleaned since the time of Mulai Abd-el-Aziz. The sanitary arrangements are very poor, and the result is that the stench is horrible. During the reign of Abd-el-Aziz, the Makhzen allowed eighty loaves of bread per day to the prisoners, but since Mulai Hafid came to power this charity has been suppressed.

If any prisoner is taken ill he dies like a dog, as there are no doctors in Alcazar, and no person is allowed to visit or inspect the interior of the prison.

The prisoners are fed by their relations. Those that have no relations feed themselves by making palmetto baskets and selling them in the "soco" (market).

Arzila.

The present state of the prisons of Arzila could not be worse. They are crammed with prisoners to an unbearable degree, and form a danger to the public health.

Casa Blanca.

The Casa Blanca prison remains still the Makhzen prison, but it is under the immediate control of the French commissary of police, which is a guarantee that matters are well managed. He is assisted by a French sergeant, who does duty as chief guard of the prison. The building has been entirely cleaned up and whitewashed, the drainage put in order, and there is well water to wash with. Half a kilog. of bread is distributed to each prisoner twice daily, at midday and in the evening.

No one is imprisoned without a signed order of committal, giving the circumstances of the case and the sentence inflicted; all of which details are entered in the prison register kept by the commissary.

The prisoners are made to work, such as sweeping the streets, carrying stones, &c., but I understand that Mokhalatin are not subjected to hard labour when purging a sentence.

There are about 130 prisoners in the Casa Blanca Moorish prison, which is more or less the average number. They are mostly in for having committed small thefts, or for being indebted to Europeans or to natives. The administration of the Casa Blanca prison is now very satisfactory.

Fez.

There are four prisons at Fez, namely:—

1. Old Fez prison. This is for petty criminals and debtors belonging to "Old Fez." It is not crowded, and (for a Moorish prison) the condition seems tolerable. There is good sanitary accommodation, running water, fair shelter, and ventilation.

2. "Sidi Furj." A house of detention for women prisoners. Is situated in Old Fez. The same remarks apply to it as to the men's prison.

3. Dakkekan prison. This is the prison for general offenders belonging to New Fez, and to tribes around Fez. The sanitary arrangements are bad, and the place is generally malodorous. There is a certain amount of open space, but at night and in rainy weather or strong sunshine the prisoners are crowded into a large shed. This prison is always very crowded. The floors are not tiled and are merely of beaten earth, and the walls are not plastered. The water supply is insufficient. The prisoners mostly look very yellow, and sicknesses—chiefly fever—are more or less constantly prevalent. Many of the prisoners have no bedding, and are scantily clad in dirty rags.

4. Zebbala prison. This is entirely below the ground level. No sunlight can enter it, and it is dark and cold. The walls are rotten and damp. Many of the prisoners are almost naked. The drainage is bad and the stench overpowering. This is the prison for offenders of the worst type from all parts of Morocco, particularly political offenders of classes whom it is not intended ever to release; in other words, for what are known generally as "Sultan's prisoners," as distinct from persons imprisoned at the instance of governors or other subordinate functionaries.

This prison is very strictly guarded, and the inmates are much less accessible to their friends, and to the food, clothing, and bedding which their friends can bring, than are the prisoners in the other gaols here.

In all the gaols—in a general way—the prisoners' friends are allowed to bring them food, clothes, bedding, and even luxuries, except, in some cases, at the Zebbala prison. In the latter cases some food may be issued from the Sultan's Palace, which is close by, and friendless prisoners are allowed one small loaf and water by the Makhzen, and their share of bread supplied as charity by the public, or out of the proceeds of the sale of mats, stools, and paniers made by the prisoners.

Malversation by the gaolers, both as regards the bread and the sale of work, is, however, so prevalent as to greatly diminish the benefit which ought to ensue from these sources to the prisoners.

The improvements as to limewashing, drainage, water supply, food, and clothing, instituted about eight years ago, have been in desuetude for the last three years or so, which was due in the first instance to the Makhzen's impecuniosity, and later to the general change of personnel when Mulai Hafid became Sultan.

Unfortunately, it is here most difficult to get such accurate, or even approximately accurate, details of the prisons as are necessary for a proper report on the subject, and which could only be procured by an European, or some such person as an

educated Algerian, inspecting them. So far as I know Mr. W. B. Harris, who, some eight years ago, was permitted by the Sultan Mulai Abd-el-Aziz to inspect and report upon them, is the only European who has ever been permitted to visit the Fez prisons.

Laraiche.

As at present there are few prisoners, the state of the prison is much better than it was three or four years ago. The walls are whitewashed inside and outside more frequently than in previous years, and the prisoners can have as much clean and good water as they like. The bread supplied to the prisoners is more wholesome than that given before, as it is of good wheat.

Mazagan.

There is only one prison in Mazagan, which is kept in a fairly clean state and with a good supply of water, but this is done by private persons and not by any of the Government officials.

No clothing, bread, water, or other provisions are provided by the Government, but the prisoners have to depend entirely for their food and clothing on their families, friends, or charity.

There are now thirty-seven men imprisoned here, but there are no political prisoners, nor any who have been in prison for longer than two years. Nine of these are imprisoned for certain claims made on them, one is imprisoned for robbery, and another for highway robbery with violence. The remainder are imprisoned for minor offences, the majority of which have not been enquired into.

Mogador.

There are two prisons at this port—the so-called "political" prison at the water-port and the "town" prison in the principal square. There are at present in the "political" prison twenty-eight prisoners, three of whom are country governors, former supporters of Mulai Abd-el-Aziz, and twenty-five members of the Uwara tribe from the Sus country, who have been in prison for fourteen years and appear to have been forgotten. One of the Uwara states that he was imprisoned for stealing a small quantity of Indian corn. The "political" prison is reported to be exceptionally clean and enjoys a good water supply, both for drinking purposes and for those of cleanliness. The prisoners have two loaves of bread each day, and their condition is reported to be greatly improved during the last two years.

On the other hand, the "town" prison is said to be in an extremely unsanitary state, both dirty and unsavoury. No food is provided for the prisoners, who are kept alive by their families. Few persons are, however, confined in this prison for more than two days. The water supply is afforded by a well within the walls and is said to be abundant, but, judging by the accounts which I have been given of the unsatisfactory sanitation of the building, it seems unlikely that the water can be very wholesome. The prison is not, however, reported to be in a worse condition than formerly.

Morocco City.

It is impossible to give an accurate description of the state of the prisons here, as no European is allowed admittance; but from all I can learn their condition and the lot of the prisoners is even worse than it was in 1907, when the last report was made. To judge from native reports, any description, however loathsome, will err on the side of deprecation rather than exaggeration of the filthy and unsanitary state of the prisons and the unhappy condition of the unfortunates who are without friends to feed them or to obtain their release.

The chief prison is the Medinah one; the other one, being the Kasba, is reserved for political prisoners, governors and Government servants, and the inhabitants of the Kasba. All these parties are comparatively small when the Court is absent, so that the following refers chiefly to the Medinah prison:—

The two most deplorable conditions are evidently overcrowding and filth. In a very small space there are confined some 500 men. The choice places to lie on are reserved to those who can pay the highest price to the gaoler, and all privileges are for the paying. Fetters are riveted on all who enter, and are removed by bribery. Much

discomfort and often quarrels arise from there being only one lavatory. The meagre supply of bread of the poorest quality is no longer supplied by the Government. The prisoners who cannot supply themselves with food, or who have no friends to bring it to them, depend upon the charity of their more fortunate neighbours. Stealing food by the starving is very common. Deaths from starvation and the results of the unsanitary confinement are very frequent.

The pile of unsavoury filth that is carried out of the prison and put on the street at the door every three or four months gives an outsider an idea of what the interior is like.

There is no limit to the sentence; the duration all depends upon outside influence, and very little upon the nature of the offence.

The personal influence upon the authorities of friends or of gifts procures the premature release of many a deserving criminal, whilst others who are innocent or deserving very short sentences are left forgotten and forsaken to lead a miserable life and die a wretched death.

During the reign of Mulai Abd-el-Aziz periodical examinations were made, and those who were ill or starving or had undergone a long sentence for slight offences were released, but this is no longer practised.

The prison receives its supply of inmates from many sources: the governor, his khalifa, the two judges, the "motahassib," and the country governors who reside in the city.

Of the women's prison, which is also the lunatic asylum, there is little to be said. I visited it many years ago, and I do not think there will be any improvement in it either. It was very filthy with a large tank of dirty water in the court, and there were several women with large heavy chains around their necks fastened to the wall, and long enough to allow them to sit on the ground.

Rabat.

There are two Government prisons at Rabat, one in the Moorish quarter and the other in the Kasbat-el-Oodaya, the old castle overlooking the mouth of the river.

According to such information as I have been able to gather both of these prisons are in a bad state of neglect, and consist of a large courtyard with a well in the centre.

About six years ago an attempt was made to reform the state of the prisons, and two "umana" (superintendents) and two "adul" (legal scribes) were appointed to supervise the prisons and keep a register of the prisoners, their offences and sentences. Two Moorish loaves of bread were distributed daily to each prisoner, and water was to be had from the well for the trouble of drawing it. The buildings themselves also were whitewashed and cleaned at certain intervals.

This state of things survived for about three or four years, when the appointment of "umana" and "adul" was discontinued, and the supervision of prisoners entrusted to one man.

At the present date no provision even of bread is made for the prisoners, who have to exist on their own means or the charity of friends or relations. The sanitary state of the buildings themselves is very far from satisfactory, whilst the duration of sentences even when trial has taken place and judgment been pronounced depends largely on the influence of the prisoner or his friends with kaïd or kadi.

Saffi.

The prison building consists of two courts or yards open to the sky. Opening on to the larger of these are five cells and three lavatories, whilst the smaller yard gives access to two cells. The whole prison is inexpressibly dirty. There is no light in the cells or lavatories and no paving to the floors, which are some 8 or 10 feet below the level of the adjoining street. In rainy weather, consequently, the yards are knee deep in mud, and the condition of the prisoners pitiable in the extreme. During the night the prisoners are locked into the cells, which, at all times overcrowded, are frequently so much so that there is scarcely room for the prisoners even to lie down. The lavatories are innocent of any attempt at sanitation, and form a veritable pest. The number of prisoners varies, but it is very seldom less than 100; 300 to 400 is the normal number. At one time there were 600 prisoners occupying the prison, but this is unusual. The authorities supply one loaf of bread per day to each prisoner, but they permit food to be brought from outside by friends or relatives

of the prisoners. Water is also supplied by the authorities, but in insufficient quantities and brackish.

Murder, robbery, false evidence, non-payment of Government taxes are several of the many reasons for imprisonment, but there is no doubt that a great number of innocent people are imprisoned unjustly, and there appears to be no system regulating the term of confinement. Before leaving the prison on liberation, each prisoner has to pay the warder a sum varying from 1 dollar upwards, according to his position in the world, in addition to anything from half-a-dollar to 10 dollars to the soldier who arrested him originally.

Death in the prison is no uncommon occurrence. On the death of a prisoner, notaries are summoned to record the death.

Tetuan.

On the recent visit of Mr. Gurney and Mr. Elson here they obtained leave from the governor to go into the prison, and went in accompanied by Mr. Miller.

This is, as far as I know, the first time Europeans have been allowed to go into the prison here.

I am glad to say that they all reported very favourably on the state of the prison, saying that it only required a little whitewashing in places and some mats.

Mr. Gurney told the governor of these wants, and he at once said, "I sent mats to the prison to-day; I had not heard they were wanted before."

There were only three women in the women's prison when I last heard, and I understand that generally there are very few female prisoners.

I regret to say that I have no knowledge as to what the women's prison is like.

Tangier.

Large prison. Contains at present 116 prisoners, for whom the authorities supplied only forty small loaves of bread and 40 gallons of water a-day.

No matting or bedding of any kind is supplied, and the floors and lower parts of the walls are dirty, though the walls were whitewashed about two months ago at the expense of charitable English persons, who also send 40 gallons of water a-day to each prison. In consequence of representations made by me to Cid Guebbas, an additional ten loaves of bread and 24 gallons of water are now supplied daily to each prison, and 4 gallons of petroleum are allowed per month for lighting them. Five pieces of matting have also been sent to each prison. This is insufficient, and I am making further representations on the subject. The water is required for cleaning the prisons and for ablutions as well as for drinking, and in the present hot weather there should be a liberal supply of water.

The prisoners are allowed to receive provisions, &c., from their friends, and can earn money by basket making, &c., and purchase food for themselves.

Only a few of the prisoners are in irons.

The female prison seldom contains more than half-a-dozen prisoners, who, being always from the town or immediate neighbourhood, are supplied with necessaries by their relations. There is at present only one woman in this prison.

[25849] No. 191.

Mr. White to Sir Edward Grey.—(*Received July* 18.)

(No. 124.)

Sir, *Tangier, July* 8, 1910.

WITH reference to my despatch No. 117 of the 2nd instant, I have the honour to report that, owing, as far as I can ascertain, to various considerable claims against the Moorish Government, of which the person in charge of the negotiations had no knowledge, the amount of the loan has proved to be insufficient to a much greater extent than was at first believed. Instead of there being a sum of some 4,000,000 fr. available for payment of ordinary claims, as stated to me by the director of the State Bank, the amount set aside for the payment of claims proves to be insufficient even to meet the liquidated debts, so that their payment has been suspended, to the consternation of the claimants, who had hoped to at last recover their capital. However, I am informed that arrangements are being made for meeting the liquidated claims by the

transfer of sums destined for other purposes, and that it is hoped shortly to be able to pay these claims, the interest on which will in the meantime have reached a considerable sum.

The only claims that are being paid are those passed by the Casa Blanca International Commission, and those of the various Governments for their expenses in connection therewith.

I have the honour to transmit herewith a cheque for 5,682*l.* 8*s.* 11*d.* in payment of the expenses incurred in this respect by His Majesty's Government.

I have, &c.

HERBERT WHITE.

[25850] No. 192.

Mr. White to Sir Edward Grey.—(*Received July* 18.)

(No. 125.)

Sir, *Tangier, July* 9, 1910.

WITH reference to your despatch No. 80 of the 29th ultimo, I have the honour to inform you that I enquired of the Spanish Minister whether he could give me any particulars in regard to the disagreement which had arisen in connection with Moorish subjects naturalised in Spain, and I referred to the special case quoted in the Spanish Ambassador's letter of the 22nd ultimo, copy of which was enclosed in your despatch under reply.

M. Merry del Val did not appear to have any recollection of that particular case, but merely complained of the position assumed by the Makhzen in regard to the general question. He stated that in Spain naturalisation can be obtained either by residence or by special grant of the King, and that Cid Guebbas had declined to admit that any Moorish subject residing in Morocco could be considered as a Spanish naturalised person.

I drew M. Merry del Val's attention to article 15 of the Madrid Convention, and observed that I could well understand that the Moorish Government refused to go beyond what was there stipulated, and it seemed from the wording of the article that they could claim Moorish subjects who had been naturalised merely by Royal decree without any residence in Spain must either leave Morocco or submit to the jurisdiction of the Moorish authorities whilst resident in Morocco. M. Merry del Val stated that the matter was open to argument, but added that his complaint was that Cid Guebbas refused to recognise any naturalisation whatever. I promised him that I would see Cid Guebbas on the subject, and would point out to his Excellency that the Makhzen are bound by the provisions of the Madrid Convention in this respect.

Cid Guebbas having been much occupied I was unable to see him until this morning. He also appeared to have no knowledge of the special case cited by the Spanish Ambassador, but stated that it was the wholesale manner in which Spanish naturalisation and Spanish protection had been recently given which had caused the Makhzen to bring the matter before the diplomatic body in the letter addressed by Cid Mokri to the doyen, translation of which was transmitted in my despatch No. 116 of the 1st instant. His Excellency assured me that he had never refused to acknowledge naturalisation in due form as provided in the Convention of Madrid. He had, however, demanded that the Makhzen should be informed of the grant of naturalisation in order that effect could be given to article 15 of that convention, otherwise it was impossible to calculate the term of residence. Cid Guebbas assured me that the number of persons recently naturalised was very large, but as no list had ever been given it was impossible to say how many there were. He knew, however, for certain of 116 Moorish subjects whom the Spanish Legation claimed as naturalised Spaniards, and for each of whom the right to appoint semsars (protected agents) and "mokhalata" (semi-protected agents) under articles 9 and 10 of the Madrid Convention had been claimed. Cid Guebbas observed that, if any Moorish subject can receive Spanish naturalisation by a stroke of the pen without ever having left Morocco, and can then himself extend protection to other Moorish subjects, the Sultan might find himself in the anomalous position of a Sovereign nominally ruling over his dominions, but having no subjects.

Upon leaving the Moorish commissioner I went to see M. Merry del Val, but met him riding out. I told him that there appeared to be some misunderstanding, and that the Makhzen were apparently prepared to give effect to article 15 of the Madrid Convention. I was not, however, able to enter into the matter fully with him

I fear there can be no doubt that Cid Guebbas's statement as to the very extensive grants of Spanish protection and naturalisation are quite correct. The object is doubtless political, as it is hoped to extend Spanish influence by bringing the principal Moors, at any rate in the northern districts, under Spanish protection. It is, however, obvious that the result must be disastrous to the country and subversive to all good government. All these protected persons are quite independent of the Moorish authorities and exempt from taxation, the unfortunate natives who enjoy no protection being obliged to bear a double burden. The whole system of protection is an evil—a necessary one, to a certain extent, in this ill-governed country—but it is in the true interests of all to restrict the evil within proper limits.

I have, &c.
HERBERT E. WHITE.

[25851] No. 193.

Mr. White to Sir Edward Grey.—(*Received July* 18.)

(No. 126. Confidential.)
Sir, *Tangier, July* 10, 1910.

THE Turkish officers whose dismissal from the Sultan's service formed one of the demands in the French ultimatum, as reported in Mr. Lister's despatch No. 36, Confidential, of the 5th March, arrived at Tangier a short time since, and are encamped at a short distance from the town.

The French chargé d'affaires came to see me soon after their arrival, and informed me that one of these officers had challenged to a duel the editor of a local Arabic paper which supports French interests, and expressed the hope that I would cause them to leave the country without delay, adding that the Moorish authorities were prepared to turn them out, but were unable to do so owing to the protection which we extended to Ottoman subjects.

I told M. de Billy that I would see the senior Turkish officer, who had already called upon me and appeared a man of education and good breeding, and would make him clearly understand that I could not permit any duelling here by persons claiming the protection of this legation. I also promised to do my best to persuade him to leave the country together with his brother officers, but that I did not see how I could insist on their leaving so long as they were of good behaviour, for after all, although their engagement as military instructors was doubtless a political move on the part of the Sultan directed against the French, no blame could attach therefrom to the Turkish officers, whose conduct since their arrival in this country had given no cause for complaint.

I have since had several conversations with the senior Turkish officer, who describes himself on his card as "A. Tahir, État majeur, Chef de la Mission turque," and also with M. de Billy, with the result that the officer has given up the idea of a duel, but will sue the editor for libel, in the French Consular Court, unless he withdraws and apologises for the insulting language of a personal character which he has published. I regret, however, that I have been unable to induce these officers to leave the country, as they are determined to remain here for the present.

M. Tahir, who is an Albanian, told me in confidence that, contrary to what was believed at the time of the arrival of these officers, as reported in my despatch No. 285 of the 12th November last, they are "Young Turks," and were specially engaged by Cid Mokri's son, who was then at Constantinople, to enter the Sultan's service. The appearance of poverty on arrival was assumed, so as not to attract attention and to avoid its becoming known that they were in the Sultan's service.

M. de Billy believes that these officers are really secret agents of the Young Turkish party, and that the real object of their presence in Morocco is political—that the Young Turks hope to succeed where the old régime failed, and to establish relations with Morocco.

I have, &c.
HERBERT E. WHITE.

[25852] No. 194.

Mr. White to Sir Edward Grey.—(*Received July* 18.)

(No. 127.)
Sir, *Tangier, July* 10, 1910.

RECENT reports from Fez show that the cause of Mulai-el-Kebir is on the wane, his adherents finding that his promises have remained unfulfilled. He has consequently thought it prudent to withdraw from Taza, and his present whereabouts are uncertain.

Mulai-el-Hafid's position in that district has thus considerably improved; some of the tribes have made sacrifices begging for pardon, and the Makhzen troops have been able to make a forward move.

I have, &c.
HERBERT E. WHITE.

[25853] No 195.

Mr. White to Sir Edward Grey.—(*Received July* 18.)

(No. 128.)
Sir, *Tangier, July* 10, 1910.

UPON receipt of your despatch No. 72 of the 16th ultimo, Mr. Lister instructed His Majesty's consul at Fez to endeavour to obtain confirmation, or otherwise, of the reported tortures inflicted on Ben Aissa and his family. I have the honour to transmit herewith copy of a very full report I have just received from Mr. MacLeod on the subject.* Though Ben Aissa's wife is still living, and though she did not undergo some of the tortures which were said to have been inflicted, there can unfortunately be no doubt that the unhappy woman underwent horrible tortures, and is still suffering very severe pain therefrom. What makes the Sultan's action more atrocious in this case is the fact that this poor woman was not even suspected of having committed any offence, the sole object of the tortures so cruelly inflicted on her being to make her disclose where her husband's supposed wealth was hidden.

Mulai Hafid evidently believed that the interview of the European ladies with Lilla Batsool would pass off as well as that of the French doctors with her husband; that they would be satisfied at seeing her alive and hearing from her that she was well and had not been ill-treated, and would not attempt to examine her; and that the whole story of her torture would thus fall to the ground. It is evident that the poor victim was in terror during the interview lest the missionary ladies should discover the truth. There can be no doubt that she had been well schooled as to what she was to say, and was threatened with a renewal of her torture should she allow the truth to be discovered. Happily Miss Mellet and Miss Denison, by combined tact and firmness, were able to elicit the truth without making Lilla Batsool in any way commit herself so as to incur the displeasure of the Sultan.

The greatest credit is due to these two ladies, as well as to Mr. MacLeod and Dr. Verdon, for the successful manner in which they have brought the truth to light.

I have had two conversations with the French chargé d'affaires in regard to the steps that can be taken to punish the Sultan for his atrocious cruelties, or, at any rate, to make certain that they will not be repeated. I regret, however, to say that we have not as yet been able to find any satisfactory solution to the question. To take any open action to bring about his deposition would be merely to assist him in regaining some sort of popularity and to stir up an anti-Christian feeling in the country. Mere representations, however strongly worded, unless accompanied by a threat of action, would have no effect but to produce the usual empty promises and assurances.

It is unfortunate, too, that at the present moment the French Legation is very disinclined to adopt strong measures against Mulai Hafid. They are aware that no really satisfactory reform can be introduced so long as he is on the throne, but at present he is in a bending mood, and inclined to meet their demands; they are therefore anxious to leave him in his present mood as long as possible and obtain all they can whilst they have the opportunity, so that they may have a better position from which to start when the inevitable time comes for his deposition and the setting up of another Sultan.

* Not printed.

The only suggestion M. de Billy could make was that we should see Cid Mokri —who is starting for Fez and has influence with the Sultan—and make a strong representation to him on the subject. I suggested that this action would have more effect if taken jointly, but he said he could not go so far as that without instructions from Paris. He, however, at my request, promised to see Cid Mokri, and urge him to use all his influence with the Sultan to induce His Majesty to send Lilla Batsool either to the French infirmary or to the English missionary ladies to be medically treated.

I called upon Cid Mokri this morning, and spoke to him in the strongest terms on the subject, pointing out the harm done to the Sultan and to the Makhzen by the commission of such atrocities. I obtained from his Excellency a promise that he would do all in his power to obtain the release of Lilla Batsool in order that she might obtain medical treatment, but I could see from his manner that there is but little chance of her release; all that can be expected is her removal to other quarters where she will be kept under guard, but will be medically treated, presumably by Dr. Murat, whose subservience to Mulai Hafid is notorious.

I have, &c.
HERBERT E. WHITE.

[25916] No. 196.

Sir F. Bertie to Sir Edward Grey.—(Received July 18.)

(No. 275.)

Sir, *Paris, July 16, 1910.*

THE press of to-day publishes an account of a fight which occurred on the 12th instant between French troops and Moorish tribesmen in the neighbourhood of the Moulouya River.

I had the honour in my despatch No. 259 of the 1st instant to give an account of the expedition sent out to Taourirt, under Lieutenant-Colonel Féraud, to open up markets on the right bank of the above-mentioned river. This movement of French troops drew upon them an attack from the Moorish tribesmen inhabiting the left bank of the Moulouya, who crossed the river and attacked the French camp. It is stated that the fight lasted for three hours, costing the French eleven men killed and forty-three wounded. The enemy are believed to have suffered severely. Lieutenant-Colonel Féraud's column will be at once reinforced from Oran.

I have, &c.
(For the Ambassador),
L. D. CARNEGIE.

[26124] No. 197.

Mr. White to Sir Edward Grey.—(Received July 19.)

(No. 130.)

Sir, *Tangier, July 13, 1910.*

SOME legations having already named the arbitrators under article 16 of the regulations governing the procedure of the Claims Commission, and, having fixed the rate of the fees to be paid to them, and a British subject having expressed a desire to appeal against the decision of the commission, and having enquired what amount he was required to deposit as security for costs under articles 6 and 18 of the regulations, I considered it necessary to address you my telegram No. 41 of the 7th instant requesting instructions as to the amount of the deposit.

I have enquired of the French, Spanish, and German Legations, and learn that the two former have fixed a rate of 3 per cent. of the amount claimed to be deposited as security. Each arbitrator will receive 1 per cent., and should there not be a third arbitrator the extra 1 per cent. will be returned. The Spanish Legation has adopted a higher scale, copy of which I enclose herewith. In all cases the maximum and minimum fees payable to each are fixed at 2,000 fr. and 50 fr. respectively, in accordance with article 17 of the regulations.

The French arbitrator, who arrived here some time since, is a M. Anterrieu, a "conseiller à la Cour d'Appel" at Nîmes. The Spanish arbitrator has not yet arrived;

he is a "fiscal," or King's counsel, of the Supreme Court. I understand that he was selected as he has experience of this country, and has published a book on the Shrâa, or Religious Law, and was desirous of returning to Morocco to study the question further. Both these gentlemen come at their own risk. They will receive the appointed fees, whatever their total amount may be, and come at their own expense.

Dr. Rosen told me that he had appointed as German arbitrator the director of the local German bank, the "Deutsche Orientbank." He explained that this gentleman was much respected and was in no way interested in the claims, and he had local knowledge which Dr. Rosen considered much more necessary than legal knowledge in arbitrations of this nature. By appointing him, moreover, his Government avoided the expense of sending a legal man from Germany.

Personally, I confess that I share Dr. Rosen's views in this respect to a great extent, and I venture to express the opinion that, if possible, some competent consular officer, retired or on leave, from the Levant service, with experience of Oriental countries and the work of consular courts, would be more suitable in the present case than a lawyer.

Another possible solution would be to name as our arbitrator the Attorney-General of Gibraltar, should the Colonial Office sanction the appointment and Mr. Coll be willing to accept the post on the same terms as the French and Spanish arbitrator have accepted. Mr. Coll has experience of the country and people and judicial work amongst them, and, residing at Gibraltar, could come over for a day or two as required. He is at present on leave, but would probably be back by the time he is required.

I fear it is quite impossible for me at this date to foretell, even roughly, the total amount of the claims to be submitted to arbitration. So far there is only one, and even in that case formal notice of appeal has not yet been given. It is probable that some of the claims when presented to the arbitrators will be considerably reduced from the figure at which they were presented to the commission.

I do not consider it necessary for the present that the arbitrator should be appointed, notwithstanding that article 22 provides for the arbitrators sitting simultaneously with the commission. It appears to me that until there are a certain number of cases to be dealt with it would be a needless expense to send out an arbitrator. Moreover, I see no reason why the rate of remuneration should not be provisionally fixed at 3 per cent., the Makhzen and British claimants being informed that the British Legation reserves the right of raising the rate later, if necessary.

There is one point to be considered, and I have already spoken of it to the French, German, and Spanish representatives, who agree with me on the subject. The regulations were framed in the belief that the loan would be sufficient to cover all the Makhzen liabilities, whereas it is only by a readjustment of the amounts set apart for different objects that the Government will be able to meet even the "liquidated" claims, and nothing will be left for the other claims, on which the commissioners are now adjudicating. These claims, it is true, will not be due for payment for another six months nearly, and it is possible that in the meantime the Makhzen may be able, by an advance from the State Bank or otherwise, to raise the necessary sum for meeting them. But the arbitrators' fees are payable at once, and article 18 of the regulations provides that, though the costs shall follow the event, their amount is always payable in the first instance by the person presenting the claim, who has to deposit security, and, even if successful, can only add the amount he has paid for costs to his claim on the Makhzen. This was not such a hardship if, as was believed at the time the regulations were drawn up, the claim would be promptly paid. But it is a very unfair arrangement if the claim is to remain unpaid for some time. It appears to me that there should be an undertaking by the Makhzen that they will pay the costs of arbitration if awarded against them, immediately upon delivery of the arbitration award, even though they may be unable to pay the claim itself at the time stipulated.

I have, &c.
HERBERT E. WHITE.

Enclosure in No. 197.

Spanish Tariff for Arbitrator's Fees.

For claims amounting to—	Per Arbitrator.
1,750 fr. or pesetas	50 fr. or pesetas.
From 1,751 to 10,000 fr. or pesetas	3 per cent.
„ 10,001 „ 25,000 „ „	2·75 per cent.
„ 25,001 „ 40,000 „ „	2·50 „
„ 40,001 „ 75,000 „ „	2·25 „
„ 75,001 „ 100,000 „ „	2 „
„ 100,001 fr. or pesetas upwards	2,000 fr. or pesetas

[25849] No. 198.

Sir Edward Grey to Sir F. Bertie.

(No. 342.)

Sir, *Foreign Office, July* 21, 1910.

I TRANSMIT to you herewith a copy of a despatch from His Majesty's chargé d'affaires at Tangier, reporting that the sum set aside out of the recent Moorish loan to meet the debts of the Makhzen will probably be insufficient for the purpose.*

His Majesty's Government have received this information with some concern, especially in view of the claims commission which is now being held, and I should be glad to know how the French Government regard the situation thus created, and what steps, if any, they propose to take in the matter.

I am, &c.
E. GREY.

[25850] No. 199.

Sir Edward Grey to Señor de Villa Urrutia.

Your Excellency, *Foreign Office, July* 22, 1910.

WITH reference to the communication which your Excellency was good enough to address to me on the 22nd ultimo, relative to a difficulty which had arisen between the Spanish and Moorish Governments in connection with a Moorish Jew naturalised in Spain, I have the honour to state that I learn from His Majesty's chargé d'affaires at Tangier that the whole question of naturalisation and protection in Morocco in now before the diplomatic body in that city. In these circumstances the Spanish Government will understand that His Majesty's Government would prefer to await the general recommendations of the diplomatic body before discussing any particular case.

I may add that His Majesty's chargé d'affaires has spoken to Cid Guebbas on the subject, and that the Makhzen are apparently ready to give effect to article 15 of the Madrid Convention.

I have, &c.
E. GREY.

[26665] No. 200.

Board of Trade to Foreign Office.—(Received July 23.)

Sir, *Board of Trade, July* 22, 1910.

I AM directed by the Board of Trade to advert to your letter of the 23rd June, enclosing copies of the draft mining law for Morocco and protocol, which were signed on the 7th June by the delegates of Great Britain, France, Germany, and Spain.

In reply, I am to inform you that the Board concur in Sir E. Grey's proposal to accept the draft law as it now stands on behalf of His Majesty's Government.

I am, &c.
GEO. J. STANLEY.

* See No. 191 (omitting last paragraph).

[26805] No. 201.

Mr. White to Sir Edward Grey.—(Received July 25.)

(No. 132.)

Sir, *Tangier, July* 15, 1910.

WITH reference to my despatch No. 128 of the 10th instant, I have the honour to report that the French chargé d'affaires has shown me a despatch from his consul at Fez confirming information I had received from Mr. Consul MacLeod and Dr. Verdon, to the effect that when Dr. Weissgerber, the correspondent of the "Temps," waited upon Mulai Hafid before leaving Fez, His Majesty expressed the intention of presenting him with a horse, and that Dr. Weissgerber replied thanking His Majesty, but adding that, as he was leaving the country, he would have no use for the horse, but would be much gratified if the Sultan, instead of the gift, would grant him a favour, and that was would release Hadj-ben-Aissa and his wife. Mulai Hafid answered that he could not for the present set Hadj-ben-Aissa at liberty on account of his intrigues with the Berbers, but that he would at once send the wife back to her family at Mequinez.

I beg leave to transmit herewith copy of a further despatch I have received from His Majesty's consul at Fez on the subject of the Sultan's original denial of the atrocities which he had been accused of committing.

I have, &c.
HERBERT E. WHITE.

Enclosure 1 in No. 201.

Consul MacLeod to Mr. White.

(No. 43.)

Sir, *Fez, July* 12, 1910.

WITH reference to previous correspondence regarding the Sultan's treatment of the ex-Basha Hadj-ben-Aissa and his family, I have the honour to call attention to the terms of the Sultan's denial of the allegations to the correspondent of "Le Temps," copy of whose report of His Majesty's language I beg to enclose herewith.

The Sultan's words have apparently been very carefully reported. It is, literally, true that the ex-basha's wife "was not killed nor mutilated," and that the basha is "neither dead nor dying."

The idea suggested, however, as will be seen from the whole tone of the Sultan's language, is that none of these prisoners were ill-treated, and this, as the facts so far elicited show beyond dispute, is the opposite of the truth.

The former was the impression left with the correspondent of "Le Temps" himself (Dr. Weissgerber), who felt much surprise and even indignation when he learned the results of the medical examination of the ex-basha's wife, and himself told me that he was telegraphing at once to have his report amended, or, if too late for that to be done, to have the facts clearly stated in a subsequent number of "Le Temps."

The most charitable expectation one might have formed, even after the examination of the ex-basha's wife, was that perhaps the Sultan had no knowledge of the cruelty to her, and that it might have been an excess on the part of one of his officers; but the studiously careful phrases the Sultan employed show, I fear, that he did know what had been done, and was merely trying to avail of the exaggerations of "The Times" version of the affair in order to propagate the impression that the latter was devoid of foundation.

I have, &c.
J. M. MACLEOD.

Enclosure 2 in No. 201.

Extract from "La Dépêche marocaine" of July 7, 1910.

MOULEY HAFID PROTESTE.

LE correspondant du "Temps" à Fez rapporte son entretien avec Mouley Hafid au sujet du sort réserve au Pacha Ben Aissa et à sa famille :—

"Toute cette histoire," dit-il, "est inventée d'un bout à l'autre. C'est un excellent spécimen de ces manœuvres odieuses de mes ennemis pour me brouiller avec l'opinion européenne.

"J'ai fait arrêter El Hadj-ben-Aissa, parce qu'il essayait de soulever les Berbères contre moi. J'en possède les preuves les plus évidentes, et ces preuves, des lettres qu'il a écrites aux Zemmour et aux Zerouan, sont à ta disposition.

"Jusqu'à présent, par égard pour la position qu'il occupait, je l'avais détenu au Dar-el-Makhzen, où il ne manquait de rien et où il avait une négresse pour le servir ; mais pour couper court aux bruits qui ont circulé, je l'ai fait transférer hier à la prison commune de Fez-el-Djedid, où ses amis pourront le voir et constater qu'il n'est mort, ni moribond.

"Quant à sa femme, Lalla Batoul, qui serait morte à Meknès des sévices qu'elle aurait subis, je vais faire donner l'ordre de la ramener immédiatement, conformément à ce que m'a conseillé M. Gaillard. Dans trois jours elle sera à Fez, et les dames européennes qui la connaissent pourront lui rendre visite et s'assurer de leurs propres yeux qu'elle n'est ni morte, ni mutilée."

Mais revenons à El Hadj-ben-Aissa : nous trouvâmes l'ancien pacha dans une cellule malpropre, mais dont il était le seul occupant.

Il était très abattu, mais—ainsi qu'il m'en informa lui-même—en bonne santé. Ses vêtements de drap fin étaient souillés, et ses jambes étaient prises dans deux anneaux de fer reliés par une barre de 30 centim.

J'informai le prisonnier que j'étais venu le voir avec l'autorisation du Sultan et l'invitai à me dire ce dont il avait à se plaindre.

"Je suis dans la main d'Allah," me répondit-il, "et l'esclave de 'Sidna,' qui peut agir à mon égard suivant son bon plaisir ; mais je lui serais profondément reconnaissant s'il voulait me faire donner du linge de rechange et me permettre de retourner dans mon ancienne prison."

Nous vîmes ensuite El Hadj Ahmed, ancien caïd-el-mechouar et frère d'El Hadj-ben-Aissa. Il se trouvait dans une pièce plus vaste avec d'autres prisonniers. Il n'avait pas de fers aux pieds et était en train de prendre le thé avec quelques amis. Je l'invitai, lui aussi, à parler, et il me fit la même réponse que son frère.

Étant retourné au palais, je rendis compte au Sultan de ma visite à ses prisonniers, et lui transmis leur requête. Puis le Sultan, m'ayant promis de leur accorder ce qu'ils demandaient et de leur permettre de réintégrer leur prison du Dar-el-Makhzen, dès que la fausseté des bruits qui avaient couru à leur sujet serait suffisamment établie, j'attirai son attention sur les fers d'El Hadj-ben-Aissa. Il me répondit qu'il n'était pas informé de ce détail, mais qu'on n'avait certainement mis les fers à l'ancien pacha que pour le transfert d'une prison à l'autre, et qu'il allait donner l'ordre de les lui enlever immédiatement.

[26806]

No. 202.

Mr. White to Sir Edward Grey.—(Received July 25.)

(No. 133.)

Sir,

Tangier, July 15, 1910.

I HAVE the honour to report that a few days ago Mr. Harris came to me and informed me that negotiations had taken place between Cid-el-Mokri and Cid-el-Menebhi in regard to a settlement of the latter's claim, M. Belghabrit, Algerian interpreter of the French Legation, having acted as intermediator, and that there was every prospect of an agreement being come to. Cid-el-Mokri had offered terms, which, with slight modifications, would be very satisfactory to Cid-el-Menebhi, and that he had been asked to be present, as Menebhi's friend, at a meeting to be held

next morning, when it was hoped the matter would be concluded. He added that Cid-el-Mokri had full powers from the Sultan to effect a settlement, and that the discussion of this question had been one of the principal objects of his proposed mission to England.

I was surprised that these negotiations should have taken place without the knowledge of this legation, but I told Mr. Harris that if el-Mokri had full powers and the terms of settlement were as stated, and were quite satisfactory to el-Menebhi, I should be very glad to see the matter disposed of. The terms of the settlement would, of course, have to be officially communicated to me.

Next day Mr. Harris returned and told me than an agreement had been come to, but that the terms were not the same as those el-Menebhi had stated to him and which he had repeated to me ; that, after all, it appeared that el-Mokri had no authority to definitely settle the matter, but must submit the terms to the Sultan, whose decision was to be communicated within a month, and that, in the meantime, the negotiations were to be kept secret, and the examination of the claim by the sub-commission would be allowed to drag on.

I told Mr. Harris that I considered this arrangement far from satisfactory. It appeared to me doubtful that Hafid would accept the proposed terms, which would merely be used to weaken Menebhi's case before the commission and before the arbitrators, should it have to be referred to them, notwithstanding the engagement which, Mr. Harris said, had been entered into that, should the negotiations fail, they were not to be brought to the knowledge of the commission or arbitrators.

Cid-el-Menebhi came to see me late that evening, and offered, if I so desired, to cancel the agreement, which had been recorded merely in an unsigned memorandum. Cid-el-Mokri was leaving early the following morning for Fez, and it appeared to me too late to usefully intervene. The negotiations had been concluded without my knowledge, and el-Menebhi was satisfied with the result, and, though I was sceptical as to Hafid's acceptance of the terms as they stood, it appeared to me undesirable that I should assume the responsibility of upsetting the agreement, especially as any harm that might ensue from it if the matter had to be adjudicated upon by the Claims Commission had already been done, in that el-Menebhi had consented to accept the proposed settlement. I therefore told el-Menebhi that I would not interfere in the matter.

I have since seen the French chargé d'affaires and explained my views to him. He told me M. Belghabrit would do his best to persuade the Sultan to accept the terms agreed upon.

These terms are that Mulai Hafid will restore to Menebhi his large houses at Marrakesh and Fez and his garden at Rabat; will grant him ploughing lands for forty yoke of oxen in Ulad Jama and Sheraga, and will pay him a sum of 150,000 Moorish dollars, equivalent to 20,400*l*. Menebhi, on his part, will withdraw his demand for the return of his other lands and houses in the possession of the Makhzen, and will give up his title-deeds and Royal grants for the same, and will withdraw his other claims in connection with the seizure of his property. Cid-el-Mokri also gave a verbal promise—for what it may be worth—that Menebhi's extensive lands in Dukala would be restored to him. El-Menebhi of course retains all the properties at present in his possession at Tangier and elsewhere.

I understand that these terms represent, roughly speaking, a settlement for 50 per cent. If the Sultan accepts the arrangement, it is satisfactory to have obtained a settlement of a troublesome question which has dragged on for so long, and if Menebhi himself is satisfied, there appears to be no reason why the legation should object. The great flaw, to my mind, is the necessity for a reference to Mulai Hafid, my fear being that the terms now accepted by Menebhi will be used as a basis for negotiations, or that they may prejudice his case before the commission.

I have, &c.

H. E. WHITE.

[26124]

No. 203.

Sir Edward Grey to Sir F. Bertie.

(No. 343.)

Sir,

Foreign Office, July 25, 1910.

YOU will be aware from the despatches which have reached you in the Morocco print sections that a commission is sitting at present at Tangier to examine claims

against the Moorish Government, and that the sum set aside from the recent loan to satisfy such claims will probably be insufficient for the purpose.

I transmit to you herewith an extract from a despatch from His Majesty's chargé d'affaires at Tangier,* in which he calls attention to the fact that, should an appeal from the commission take place, in the event of the claims remaining unpaid for some considerable time, the claimant will, even if successful, be actually out of pocket during that period. Mr. White suggests, as a possible solution of the difficulty, that the Makhzen should give an undertaking to pay the costs of arbitration if awarded against them immediately upon delivery of the arbitration award, even though they may be unable to pay the claim itself at the time stipulated. I should be glad if you would approach the French Government on the subject, and, after pointing out the desirability of obviating the hardship to which Mr. White has called attention, enquire their views on the suggested solution.

I am, &c.
E. GREY.

[25848] No. 204.

Sir Edward Grey to Mr. White.

(No. 94.)
Sir,

Foreign Office, July 25, 1910.

I HAVE received your despatch No. 123 of the 7th instant, forwarding a report on the prisons in Morocco.

The state of affairs revealed by this report is lamentable, and His Majesty's Government feel compelled to endeavour to ameliorate the lot of the unfortunate prisoners. I should be glad, therefore, if you would lay the matter before the diplomatic body, with a view to a joint request being made to the Sultan to reinforce the regulations formerly made by Abdul Aziz. At the same time you might suggest to your colleagues the desirability of recommending that there should be a periodical inspection in order to keep the local authorities up to the mark.

You should also instruct His Majesty's consular officers in Morocco to give the matter their attention, and to report to the legation on the subject from time to time, so that representations can be made in regard to any particular prison which has deteriorated from its already low standard.

I am communicating a copy of this despatch to His Majesty's chargé d'affaires at Paris, with instructions to endeavour to obtain the support of the French representative at Tangier, when the matter comes before the diplomatic body.

I am, &c.
E. GREY.

[25853] No. 205.

Sir Edward Grey to Mr. White.

(No. 95.)
Sir,

Foreign Office, July 25, 1910.

I HAVE receeived your despatch No. 128 of the 10th instant, relative to the cruelties inflicted on Ben Aissa's wife, and I approve your action in the matter.

I transmit to you herewith a copy of a despatch which I have addressed to His Majesty's chargé d'affaires at Paris,† and in the event of the French Government instructing their representative at Tangier in the sense desired by His Majesty's Government, I authorise you to join him in making a strong protest to the Makhzen with regard to the tortures inflicted on the family of Ben Aissa. You will exercise your discretion as to the mention of the treatment of Ben Aissa's wife. Unless the unfortunate woman has, as reported in the newspapers, been released, the effect of representations may be the reverse of what was intended.

I should also be glad if you would instruct Mr. MacLeod to take any opportunity that may occur of impressing upon Mulai Hafid the effect which the reports of these cruelties have made upon His Majesty's Government. You will remember that

* See No. 197.

† See No. 208.

Mr. MacLeod's language to the Sultan, after the capture of Buhamara, exercised a salutary restraint on that monarch for the time being.

I am, &c.
E. GREY.

[25851] No. 206.

Sir Edward Grey to Mr. White.

(No. 96.)
Sir,

Foreign Office, July 25, 1910.

I HAVE received your despatch No. 126 of the 10th instant, and I approve your action in informing the French chargé d'affaires that you were unable to insist on the Turkish officers formerly in the Sultan's service leaving Morocco, so long as they were of good behaviour.

I am of opinion that, if the French Government desire to obtain the removal of these officers from Morocco, they should approach the Turkish Government direct.

I am, &c.
E. GREY.

[25848] No. 207.

Sir Edward Grey to Mr. Carnegie.

(No. 346.)
Sir,

Foreign Office, July 25, 1910.

IN consequence of representations made in the early part of the year by the Howard Association I instructed His Majesty's Representative at Tangier to furnish a report on the state of the prisons in Morocco. This report has now been received at the Foreign Office, and shows that there has been a considerable deterioration in the state of most of the prisons since Mulai Hafid's accession, and that the conditions now prevailing in some of them are very bad.

I transmit to you herewith a copy of a despatch which I am addressing to Mr. White on the subject,* from which you will see that I have requested him to bring the matter before the diplomatic body at Tangier. His Majesty's Government feel that if this action is to be effective it is of the utmost importance that Mr. White should receive the cordial support of his French colleague. I should be glad, therefore, if you would explain the facts to the French Government, and urge them to send instructions to the French Representative at Tangier to support his British colleague in the matter.

I am, &c.
E. GREY.

[25853] No. 208.

Sir Edward Grey to Mr. Carnegie.

(No. 347.)
Sir,

Foreign Office, July 25, 1910.

YOU will be aware from recent despatches from Tangier, and especially from Mr. White's despatch No. 128 of the 10th instant, of the cruelties inflicted by the Sultan upon the wife and family of Ben Aissa, and of the statement of the French chargé d'affaires that he was unable to join his British colleague in a protest against these cruelties without receiving definite instructions from his Government. His Majesty's Government feel strongly that these outrages should not be allowed to pass without a protest and without endeavouring to prevent their repetition in the future, though they appreciate the difficulties which lie in the way of any real reform so long as Mulai Hafid remains on the throne of Morocco. I should be glad, therefore, if you would inform the French Government that His Majesty's Government are much impressed by the accounts they have received of these tortures, and that they have instructed their representative at Tangier to do all he can to secure

* No. 204.

their abolition. They hope that similar instructions have been, or will be, sent to the French representative, as they attach much importance to joint action in such matters.

I am, &c.
E. GREY.

[27002] No. 209.

Mr. Lister to Sir Edward Grey.—(Received July 26.)

(No. 137.)
Sir,

Tangier, July 20, 1910.

WITH reference to my despatch No. 124 of the 8th instant, I have the honour to report that the State bank has given notice that it is now in a position to meet the orders for payment of the liquidated claims that have been passed by the Moorish sub-commissions, and that payment of these claims has commenced to-day.

I have, &c.
REGINALD LISTER.

[26665] No. 210.

Sir Edward Grey to Mr. Carnegie.

(No. 352.)
Sir,

Foreign Office, July 27, 1910.

HIS Majesty's Government have had under their consideration the draft mining law for Morocco and protocol which were signed on the 7th ultimo at Paris by the delegates of Great Britain, France, Germany, and Spain.

His Majesty's Government are prepared to accept these instruments in their present form, and I request that you will inform the French Government to that effect.

I am, &c.
E. GREY.

[26806] No. 211.

Sir Edward Grey to Mr. White.

(No. 97.)
Sir,

Foreign Office, July 28, 1910.

I HAVE received your despatch No. 133 reporting on the negotiations which have taken place between El Mokri and Menebhi in regard to a settlement of the latter's claim.

Provided that Menebhi is satisfied, His Majesty's Government would be very glad to see a definite arrangement ~~arrived at~~ which would finally settle the matter.

I am, &c.
E. GREY.

[27792] No. 212.

Mr. White to Sir Edward Grey.—(Received August 2.)

(No. 138.)
Sir,

Tangier, July 21, 1910.

AS foreign subjects have claims on the Moorish subjects to whom indemnities were awarded by the Casa Blanca International Claims Commission, it was decided that notice thereof should be given to Cid Mokri with a view to an embargo being laid and the amounts not being paid to the Moorish subjects until the claims have been satisfied.

The Makhzen suggested that all these embargoes be referred to the arbitrators appointed under article 16 of the Regulations regarding the Commissions for the Settlement of Foreign Claims, and that they should decide whether the claims in regard to which the embargoes have been laid were valid or not.

[27794] No. 213*.

Mr. White to Sir Edward Grey.—(Received August 2.)

(No. 140.)
Sir,

Tangier, July 21, 1910.

I HAVE the honour to transmit herewith copy of a despatch received from His Majesty's vice-consul at Mogador, transmitting copy of a letter addressed to him by British merchants at that place protesting against the establishment of "n'zail" for the collection of road dues which are ruining the trade of that port.

"N'zail" exist all over Morocco in the form of enclosures with guards, where caravans and travellers can camp for the night in safety, paying a small fee for the convenience. In 1907 Anfloos, the powerful Governor of Haha, near Mogador, took advantage of this system to establish a number of "n'zail," at which toll was levied on all animals and goods passing, greatly to his profit. Representations were made to the court, but the reply was that in the disturbed state of the country there were no means of enforcing orders given to Kaïd Anfloos, who was practically independent. Subsequently troops were sent to Mogador in connection with the rebellion of Mulai Hafid, and the "n'zail" abuse apparently ceased.

Recently, however, Kaïd Anfloos and his neighbour, Kaïd Guilooli, have reverted to this method of enriching themselves, and are doing it on a much more extended scale. Numerous "n'zail" have been established on all the roads leading into Mogador and heavy dues are levied at each of them, so that the commerce of Mogador is being strangled, and all the trade of the Soos being driven to Saffi, the additional cost of transport to the more distant port being found to amount to far less than the exactions of the rapacious kaïds governing the districts surrounding Mogador.

The matter was brought to the notice of all the legations here, and I spoke on the subject to the French, German, and Spanish representatives. The French chargé d'affaires expressed the opinion that it might be difficult for the Sultan to take action against the powerful kaïds, and enquired how one could bring pressure to bear on the Makhzen. I replied that the districts being near the coast, the Sultan could, if he chose, enforce obedience on these kaïds, but that he would doubtless prefer not to interfere, and would profess inability. These tolls were contrary to treaty, and were causing very serious damage to an important trade; we should therefore do all in our power to put a stop to the abuse. After some discussion we came to the conclusion that the Makhzen might be informed that if it could not stop the levy of these illegal tolls, the merchants who paid them would be entitled to claim that the Makhzen should refund the amount paid.

The matter was discussed at a meeting of the foreign representatives, held on the 18th instant, and it was decided that the doyen should address a letter to the Makhzen on the subject, demanding the supression of the "n'zail," and holding the Makhzen responsible for the losses caused by them.

I have, &c.
HERBERT E. WHITE.

Enclosure 1 in No. 213*.

Vice-Consul Johnstone to Mr. Lister.

(No. 14.)
Sir,

Mogador, June 25, 1910.

I HAVE the honour to transmit to your Excellency herewith copy of a complaint which I have received from the British merchants of Mogador, relative to the road dues levied by two of the "country" governors on merchandise arriving in this town from any direction excepting by sea.

The names of the kaïds in question are Anfloos and Guilooli, and their dues have been a constant cause of complaint for years. The dues are increasing gradually, and at present the Mogador merchants are convinced that, unless some limits are fixed, or the dues abolished, the fate of Mogador is sealed, as far as commerce is concerned, and they themselves will be ruined and unable to pay their European creditors.

I have the honour to enclose a rough map,* showing the new routes through

* Not reproduced.

which the southern trade passes to Saffi, to avoid the districts of the above-mentioned governors.

Letters to this effect are at present being forwarded by all the foreign representatives in Mogador to their respective legations.

I have, &c.
H. B. JOHNSTONE.

Enclosure 2 in No. 213*.

British Merchants of Mogador to Vice-Consul Johnstone.

Sir, *Mogador, June* 23, 1910.

WITH great respect and no little reluctance, we are compelled to invite your official attention to the very serious injury to the commerce of this port caused by the "inzala" system as recently established on the trade routes between here and the southern provinces, especially the Soos country, upon the traffic of which district three-fourths of Mogador business subsists.

The facts are no doubt too well known to you to need detailed recapitulation. Our great cause of complaint is that produce from the southern districts above mentioned destined for Mogador is subjected to grossly exorbitant road-tolls amounting to about 5 dollars per camel-load. About the same amount is levied at the "inzalas" on imported merchandise consigned by us to Soos.

These exactions, inforced without any authority either from His Shereefian Majesty or from the diplomatic body, are absolutely without precedent within living memory. No seaport belonging to the Empire of Morocco suffers the same, or anything like the same, grievous tax upon its commerce. As a result, the trade of this once prosperous seaport has dwindled to a mere fraction of what it was. The rich produce of Soos, such as gums, almonds, olive-oil, goatskins, &c., is naturally diverted to other outlets, principally Saffi and Mazagan, while, in proportion to the inevitable decrease in export business, the importation of manufactured and other European goods has fallen off to so lamentable an extent that the bulk of our commercial community foresee the necessity of closing their houses of business. Needless to add that the failure of wholesale business spells starvation to many hundreds of the labouring classes and their families.

There is another feature in the situation which affects not only ourselves and the working people employed by us, but also the important firms beyond the seas with whom we have business relations. Our southern customers, who are mostly owing us large sums of money, no longer come to Mogador, and in the absence of any effective authority outside the town, we are absolutely unable to pay our debts.

Thus, while the trade of this port is being rapidly ruined, our own capital and that of our business connections in Europe is at stake, and we venture to hope that by your kind intervention and the vigorous action of the proper authorities elsewhere, steps may be promptly taken to remedy the present calamitous state of affairs.

We have, &c.

It appeared to me that this procedure was an unnecessarily costly one and in many cases out of proportion to the amount of the claims. I therefore suggested that they should be referred in the first instance to the sub-commissions in the same manner as the ordinary claims, and should only be referred to arbitration on appeal from the decision of the sub-commission.

My proposal has now been unanimously adopted by the foreign representatives, and I understand that the Makhzen are willing to accept it.

I have, &c.
H. E. WHITE.

[27793] No. 213.

Mr. White to Sir Edward Grey.—(*Received August* 2.)

(No. 139.)

Sir, *Tangier, July* 21, 1910.

WITH reference to my despatch No. 130 of the 13th instant, I have the honour to report that the question of the payment of the costs of arbitration on appeal from the decision of the Claims Commission under article 16 of the regulations was discussed at a meeting of the foreign representatives held on the 18th instant, and everyone shared the view, expressed in my above-mentioned despatch, that it would not be fair to saddle successful claimants with the costs of arbitration for an indefinite time, which would be the case if the costs are simply added to the amount of their claims to be recovered from the Makhzen when they may have at their disposal the necessary funds. It was therefore unanimously decided that the doyen should address to the Makhzen a letter enquiring whether they had set aside a sum for meeting these expenses, and, if not, what measures they proposed to adopt for the purpose. I beg to transmit herewith a translation of the letter.

I have, &c.
HERBERT E. WHITE.

Enclosure in No. 213.

Dean of Diplomatic Body to Sid Mohammed-el-Guebbas.

(Traduction.)

(Compliments d'usage.) *Juillet* 1910.

J'AI l'honneur d'exposer à votre Excellence que le corps diplomatique s'est préoccupé de la question du paiement des frais de l'arbitrage qui incomberont au Makhzen lorsque celui-ci succombera devant les arbitres institués pour statuer en appel sur les décisions de la Commission des Dettes.

Je vous serai obligé de me faire connaître si le Makhzen a constitué une provision pour acquitter le paiement des frais dont il aura à assumer la charge dans le cas indiqué plus haut, et, si aucune provision n'a été constituée, de m'indiquer quelles mesures il compte prendre pour acquitter les frais des arbitrages qui seraient mis à sa charge.

[27795] No. 214.

Mr. White to Sir Edward Grey.—(*Received August* 2.)

(No. 141.)

Sir, *Tangier, July* 21, 1910.

I HAVE the honour to report that, in obedience to orders received from the Sultan, all the Moorish troops are being withdrawn from the ports, at which the police remain as the sole military force. The troops have been ordered to proceed to Fez to strengthen the forces with the Sultan.

I understand that one of the objects of this measure is to avoid the loss to the Treasury caused by sums being drawn for payment of these troops much in excess of what is required, the officials in charge putting the balance into their pockets.

I have, &c.
HERBERT E. WHITE.

[27797]

No. 215.

Mr. White to Sir Edward Grey.—(Received August 2.)

(No. 143.)

Sir,

Tangier, July 22, 1910.

I CALLED upon Mulai Abdel Aziz this afternoon on his return from Egypt and Syria. His Majesty informed me that he had derived much pleasure from his voyage, and had been much interested in all that he had seen. When in Beirout, however, he had felt a strong desire to return home, and had therefore eliminated from his programme several places he had intended to visit, and had gone direct to Marseilles without passing by Tunis and Algeria, as had been arranged. It is difficult to say whether there was really any other reason for his change of plans. It may be that he thought that in the present position of affairs he had better not be too long absent from Morocco, though as a matter of fact there would be less necessity for his presence now than at the time he left.

Mulai Abdel Aziz was much pleased with his visit to Egypt, and expressed his gratitude for the arrangements which had been made for him there. He much regretted that, owing to Sir E. Gorst's illness, he had been unable to meet him and express his thanks to him. He spoke in warm terms of Captain Russell, who had been attached to him whilst in Egypt, and had evidently shown himself a most useful and pleasant companion.

His Majesty informed me that, whilst in Marseilles, it had been suggested to him to visit Paris, but that he had declined, being anxious to return to Tangier as soon as possible.

I have, &c
H. E. WHITE.

[27804]

No. 216.

Mr. White to Sir Edward Grey.—(Received August 2.)

(No. 150.)

Sir,

Tangier, July 26, 1910.

WITH reference to my despatch No. 128 of the 10th instant, I have the honour to transmit herewith copy of a memorandum I have received from His Majesty's consul at Fez, in reply to my enquiry whether he could suggest any means of securing the punishment of the persons responsible for the barbarous treatment of the Hadj-ben-Aissa family and of preventing the repetition of such cruelties.

Mr. MacLeod suggests that the diplomatic body, following the custom of the country, should intercede for the Ben Aissa family, asking the Sultan to release them and restore their properties, that they should then be afforded the good offices of the senior consul so as to protect them from further ill-treatment, and that the diplomatic body should then request His Majesty to facilitate a full enquiry into the matter by a commission, which should include at least one consul. Mr. MacLeod further suggests that the Sultan be requested to prescribe that no trials be conducted or punishments inflicted in secret, the officials presiding at such trials or ordering such punishments being held responsible for the justice of the proceedings.

Mr. MacLeod refers to the immunities from unjust or cruel punishments that have at various times been obtained for Jews, and observes with much truth that there can be no reason why the Sultan's Moslem subjects should be less equitably treated than their Hebrew fellow-subjects.

I would add that the late Sultan, Mulai Hassan, issued an order forbidding the corporal chastisement of females except by a judgment of the cadi in accordance with Shrâa (see Sir J. Drummond-Hay's despatch No. 43 of the 28th May, 1883). For convenience of reference I transmit herewith translation of the Vizier's letter to Sir J. Drummond-Hay.* It is interesting as explaining how far corporal punishment can legally be inflicted.

Though, owing to a reference therein to an unfortunate incident at Casa Blanca, this letter cannot well be quoted *in extenso* in any representation it may be decided to make to the Sultan, the law, as therein laid down, might usefully be quoted.

I have on several occasions reverted to this subject in my conversations with the French chargé d'affaires, but we have not been able to find any satisfactory solution

* Not printed.

[27799]

No. 215*.

Mr. White to Sir Edward Grey.—(Received August 2.)

(No. 145.)

Sir,

Tangier, July 23, 1910.

I HAVE the honour to transmit herewith copy of a letter addressed to the doyen of the diplomatic body applying for a concession for the installation and maintenance of the various lighthouses, &c., which it is proposed to erect on the Moorish coast, as decided upon in the programme, copy of which was transmitted in my despatch No. 154 of the 29th June, 1909. A copy of the proposed bases of the contract is also transmitted herewith.

Copy of the articles of association of the Société marocaine de Travaux publics was transmitted to you in Mr. Lister's despatch No. 10, Commercial, of the 3rd April last, and the composition of the society was dealt with in his previous despatch No. 8, Commercial, of the 20th March. For this work they are associated with the principal manufacturers of lighthouses in England, France, and Germany, Messrs. Chance Brothers of Birmingham representing England.

The main lines of the contract are that the proposed society will furnish the necessary capital for the installation of the lights, and shall receive from the Makhzen interest on that capital at a rate of not less than 6 per cent., and annual payments towards the redemption of the capital within a term of thirty years. The society will also undertake all expenses of upkeep and working of the lighthouses, the Moorish Government making further annual payments to cover these expenses, the lighthouse dues being collected at the custom-houses and handed over to the society, who will place this amount to the credit of the Makhzen towards paying off the annuities. When these dues exceed the amounts required to meet the payments, the balance will be divided into two equal shares, of which one will be taken by the society as profits.

The concession is to be for a term of fifty years, and the society is to have a right of preference for further similar works, presumably during the term of contract.

The diplomatic body have referred these documents to the Committee of Public Works.

I have, &c.
HERBERT E. WHITE.

Enclosure 1 in No. 215*.

Note by M. C. Renault.

BORDEREAU d'envoi de:—

1. Lettre de demande en concession.
2. Bases d'un accord (pièce annexée).

Le Délégué de la Société marocaine de Travaux publics,
C. RENAULT.

43, *Rue Cambon, Paris, le 12 juillet*, 1910.

Nota.—Les deux pièces ci-inclus sont la reproduction exacte de celles que nous avons l'honneur d'adresser par courrier de ce jour à Sa Majesté chérifienne à Fez.

Enclosure 2 in No. 215*.

The Société marocaine de Travaux publics to the Doyen of the Diplomatic Body, Tangier.

(Objet: Demande de concession de l'éclairage des côtes du Maroc.)

LES soussignés, représentant la maison Barbier, Benard, et Turenne de Paris; la maison Chance Brothers and Co. (Limited) de Birmingham; la maison Harle et Cie. de Paris; la maison H. Lepaute et Cie. de Paris; la maison Julius Pintsch Actien-Gesellschaft de Berlin (c'est-à-dire, l'unanimité des grands constructeurs de phares du monde), et la Société marocaine de Travaux publics (ou cette dernière agissant seule, en son nom et au nom des cinq constructeurs susindiqués), ont l'honneur de demander, en accord avec les décisions prises par le corps diplomatique

à Tanger, la concession de l'établissement des appareils et bâtiments nécessaires à l'éclairage des côtes du Maroc et de l'exploitation de cette entreprise, cette convention faisant l'objet d'une convention dont les bases générales sont exposées dans l'annexe ci-joint.

En raison de leur groupement même, qui comprend, sans distinction de nationalité, tous les industriels susceptibles d'établir un ensemble de phares, les demandeurs estiment qu'ils agissent en conformité avec les articles 106 et 107 de l'Acte d'Algésiras.

Ils estiment, en outre, qu'ils offrent toutes les garanties que nécessite une telle entreprise, car—

D'une part, au point de vue technique, ils réunissent l'unanimité des constructeurs qui se sont spécialisés dans ce genre de travaux et sont les fournisseurs connus de tous les Gouvernements du monde.

D'autre part, la Société marocaine de Travaux publics joint aux sécurités financières les plus indiscutables un ensemble de hautes compétences techniques internationales en matière de travaux publics.

(Signatures des représentants des susdites compagnies.)

Paris, le 17 *juin*, 1910.

Enclosure 3 in No. 215*.

Memorandum by the Société marocaine de Travaux publics.

Bases d'un Accord à conclure avec le Gouvernement marocain au sujet de l'Installation de Phares au Maroc.

LE contrat à passer avec le Gouvernement marocain serait établi sur les bases générales suivantes :—

La société fournirait les capitaux nécessaires à l'installation des phares désignés par l'Administration chérifienne (actuellement prévus pour Casablanca, Mazagan, Cap Cantin, Mogador, Cap Quilates, et Pointe Ciris, plus un certain nombre de feux secondaires à Tanger, Rabat, Salé, Casablanca, Mazagan, Saffi, Mogador).

Les dépenses de premier établissement se décomposent en deux parties :—

(*a.*) Les frais de construction, fabrication, et montage sur place des appareils optiques, lanternes et accessoires, pièces de rechange, &c., fournitures faites par les constructeurs de phares pour un prix forfaitaire ; les dépenses afférentes aux tours métalliques éventuelles.

(*b.*) Les frais de préparation des emplacements des phares, de construction des bâtiments, des logements et des magasins, des chemins d'accès desservant ces divers locaux.

La fixation de ces dépenses de premier établissement dépend naturellement des types d'appareils et de bâtiments adoptés ; les précisions à ce sujet seront fixées par l'Administration chérifienne et les reconnaissances d'emplacements.

En dehors de ces dépenses de premier établissement la société aura à assurer l'approvisionnement d'un petit atelier central pour l'entretien et la surveillance de son exploitation.

Le total de ces dépenses constituera le capital engagé dans cette affaire, pour lequel le Gouvernement marocain devra payer un intérêt annuel et un amortissement. Cet intérêt ne pourra être inférieur à 6 pour cent et l'amortissement sera de trente ans pour les appareils de phare et les bâtiments.

Pour assurer l'éclairage de ses phares, la société sera obligée de recruter et d'entretenir les gardiens nécessaires, d'en faire la surveillance et le ravitaillement et de maintenir en état le matériel. Elle aura donc des frais d'exploitation :—

(*a.*) Salaires des gardiens, congés, maladies, &c.

(*b.*) Achat des matières consommables, réparations et entretien du matériel, entretien des édifices.

(*c.*) Frais de l'atelier central, inspection.

(*d.*) Frais généraux d'administration.

Si l'intérêt et l'amortissement des frais de premier établissement forment une somme facile à fixer, il est moins aisé de préciser à l'avance les frais d'exploitation. Nous admettons, en principe, que ces frais seront simplement remboursés par le Gouvernement marocain, en tenant compte d'un intérêt pour les sommes avancées par la société, mais on sera probablement amené à fixer cette somme à une valeur forfaitaire, en se basant sur les prix d'entretien du phare et des bâtiments du Cap Spartel.

La société devra donc recevoir, chaque année, du Gouvernement marocain, une somme représentant l'intérêt et l'amortissement du capital de premier établissement, plus le remboursement de tous les frais d'exploitation.

Ce versement, de la part du Gouvernement marocain, constitue un minimum que la société devra toujours encaisser.

Les droits de phares à établir seront perçus par les agents des douanes, et versés à la société. Bien entendu, cette société portera au crédit du Gouvernement marocain ces versements qui viendront en déduction de l'annuité. Dans l'avenir, lorsque les droits des phares auront atteint la valeur de la somme à verser par le Gouvernement marocain, la société sera payée entièrement par ces droits. À partir de ce moment, le surplus provenant des droits de phares sera partagé en parties égales entre la société et le Gouvernement marocain, la part de ce dernier pouvant être affectée par lui à des remboursements anticipés ou à des travaux complémentaires.

Dès le commencement des travaux de montage sur place le Gouvernement marocain s'engage à tenir constamment disponible une somme de 200,000 fr. qui permettrait à la société de remettre en état sans aucun retard un phare, qui subirait des avaries graves par suite d'émeutes, d'actions militaires, ou de tremblements de terre.

La durée du contrat devra être d'au moins cinquante années, pour que les chances de bénéfices de la société provenant de l'excédent des droits de phares ne soient pas complètement illusoires. Pendant toute la durée de cette concession, il est bien entendu qu'aucun remplacement ou aucune modification ne pourrait être demandé à la société pour la raison qu'un appareil ou un bâtiment serait démodé. Les travaux nécessités par cette raison seraient considérés comme des travaux neufs d'extension de l'éclairage.

Enfin, le contrat devra prévoir un droit de préférence à conditions égales pour le concessionnaire en cas d'une extension de l'éclairage des côtes du Maroc, en partant du principe que les travaux devront être entrepris par tranches, chaque tranche donnant lieu à une concession nouvelle basée sur les mêmes principes que ceux exposés ci-dessus.

(Signatures des représentants des compagnies susmentionnées).

Paris, le 17 *juin*, 1910.

which would be likely to meet with the unanimous support of the foreign representatives.

The appointment of a judicial adviser with wide powers would effectually put a stop to barbarous punishments. The person selected for such a post would naturally have to be a Frenchman, and preferably an Algerian, such as M. Belghabrit, who is a cadi, and related by marriage with Fez families. But the creation of such a post would be resisted by the Sultan to the utmost, and I fear it would be difficult to obtain the support of all the Powers for imposing it upon him. The high Moorish officials, who have been alarmed by the fate of Ben Aissa, not knowing whose turn may come next, would, I understand, welcome any measures that would prevent the repetition of such cruelties; they would therefore be less inclined to view with disfavour the appointment of a judicial adviser, if a suitable person of their own faith were selected for the post.

I have, &c.
H. E. WHITE.

[27805] No. 217.

Mr. White to Sir Edward Grey.—(*Received August* 2.)

(No. 151.)

Sir, *Tangier, July* 27, 1910.

HIS Majesty's consul at Fez reports that the following appointments were officially announced at the court on the afternoon of the 23rd instant:—

Hadj Mohammed-el-Mokri, late special envoy to France, and Vizier of Finance, to be Vizier for Foreign Affairs. His son, Sid Taib-el-Mokri, to be Vizier of Finance.

Sid Aissa-ben-Omar to be "Vizier of Complaints" in the place of Sid Kabor Zimrani, who becomes "Administrator of Expenditure."

The two latter posts are of little importance nowadays. It is believed, however that Sid Aissa-ben-Omar will have yielded his former post to Sid-el-Mokri without regret, his direction of foreign affairs having been more nominal than real, and the post not being a very lucrative one.

It will be interesting to observe the relations between El Mokri and the Grand Vizier, to whom he recently had, very reluctantly, to give his daughter in marriage. It is thought by some that there will be considerable rivalry and friction between them. I am, however, personally of opinion that Sid-el-Mokri will be very careful to maintain good relations with his powerful son-in-law, and will endeavour to get his own way by diplomacy rather than by open opposition.

It is not yet known what is to become of Sid Abdullah-el-Fasi, who accompanied Sid-el-Mokri to Paris, and was Acting Vizier for Foreign Affairs before the arrival of Sid Aissa-ben-Omar at Fez.

I have, &c.
HERBERT E. WHITE.

[28645] No. 218.

Mr. White to Sir Edward Grey.—(*Received August* 8.)

(No. 153.)

Sir, *Tangier, July* 30, 1910.

WITH reference to my despatch No. 151 of the 27th instant, I have the honour to transmit herewith translation of a letter addressed to me by the Sultan, and forwarded to me through Cid Guebbas, announcing the appointment of Cid El Mokri as Vizir for Foreign Affairs and also of Public Works, and stating that His Majesty has instructed him to continue to discharge the functions of Vizir of Finance until the completion of the business of his late mission.

It is a new departure for the Sultan himself to write to communicate the appointment of the Vizir for Foreign Affairs. The tone of the letter appears to indicate a desire to produce a good impression.

His Majesty's Consul at Fez reports that Cid Abdullah-el-Fasi, who was associated with Cid El Mokri in his mission to Paris, has been appointed Chief Kadi at Fez.

I have, &c.

HERBERT E. WHITE.

Enclosure in No. 218.

Mulai Hafid to Mr. White.

(Translation.)

Praise to God alone!

FROM the slave of his Lord, in whom he trusts and to whom he confides all his affairs, Prince of the Faithful, the Sultan Abdul Hafid, son of the Sultan (repeated seven times), to his friend, the intelligent, who strives for the good of the two Governments, the chargé d'affaires of the friendly British Government at Tangier, Mr. White.

We do not cease to inquire after you, hoping for your continual welfare.

In conformity with our Shereefian command, issued this day, we have appointed our acceptable servant and counsellor, the Chief Amin, Hadj Mohammed-ben-Abdeselam-el-Mokri, Minister of Finance, to the post of Minister for Foreign Affairs, in the place of Kaid Aissa-ben-Omar-el-Abdi, who is transferred to another post. We have also, in conformity with the said command, confirmed the Vizir El Mokri as Minister of Public Works, and have ratified his appointment as Minister of Finance until such time as he shall have completed the business of the financial mission with which we charged him, and which is still under discussion.

We do not doubt that you will be pleased at this announcement, by reason of your knowledge of the integrity of his dealings, and his efforts to overcome obstacles and find solutions for difficulties, and to do what lies in his power to facilitate those matters which tend to produce a good understanding between both parties, and all that conduces to prosperity and amity between the two friendly Governments.

We trust you will accord him a reception in conformity with his friendly sentiments and intentions.

My God guide him and direct him to do that which is right.

We inform you of this in order that you may communicate it to your Government, and so that you may treat him in the manner suggested above.

16 *Rajab*, 1328 (*July* 24, 1910). (L.S.)

[28993]

No. 219.

Mr. White to Sir Edward Grey.—(*Received August* 10.)

(No. 156.)

Sir,

Tangier, August 4, 1910.

WITH reference to my despatch No. 133 of the 15th ultimo, I am glad to be able to report that I have received through His Majesty's consul at Fez a letter addressed by Cid-el-Mokri to Cid-el-Menebhi, informing him that Mulai Hafid has approved the terms of settlement as agreed upon between them nearly as they stand, the only modifications being in regard to El Menebhi's lands in the Ulad Jama district, which Mulai Hafid declares have already been disposed of, and in exchange for which His Majesty offers to pay an additional sum of "from 10,000 to 20,000 dollars." I find by an examination of his title-deeds that El Menebhi himself paid 35,600 dollars for these lands, so that even if he receives the full 20,000 dollars offered it would be a poor exchange for the lands themselves. He is, however, prepared to accept this offer, feeling relieved, I think, that Mulai Hafid has not wished to strike more off the terms negotiated by El Mokri, and I am this day forwarding through Mr. Consul MacLeod El Menebhi's reply to El Mokri accepting the terms as modified by the Sultan. He encloses the "dahir" for his Dukala lands, which Mulai Hafid has agreed to confirm, and he asks El Mokri to obtain for him the restoration of his Alcazar house and stores, of which he has need, though they are of comparatively little value.

I have requested Mr. MacLeod to point out to El Mokri that 20,000 dollars in cash cannot be considered as an adequate substitute for the Ulad Jama lands, which

[29498]

No. 220*.

Mr. White to Sir Edward Grey.—(*Received August* 15.)

(No. 157.)

Sir,

Tangier, August 5, 1910.

I HAVE the honour to acknowledge receipt of your despatches No. 99 of the 27th ultimo* and No. 100 of the 28th ultimo,* transmitting copies of letters received from the Royal Mail Steam Packet Company and Messrs. J. Power & Co., calling attention to the serious hindrance to trade at Mogador caused by the tolls levied on goods passing through the districts of Kaïds Anfloos and Guilooli.

I have already reported somewhat fully on this subject in my despatch No. 140 of the 21st ultimo, which you must have received shortly after posting your despatches under reply. I beg leave to transmit herewith copy of the letter on this subject addressed by the doyen of the diplomatic body to Cid Guebbas, who has replied that he has referred the matter to the Sultan.

With regard to the suggestion that the port of Agadir should be again opened, I would observe that it would undoubtedly be to the advantage of general trade were this to be done. Agadir is said to be the best natural port on the coast, and it was formerly the centre of a thriving trade. In the year 1773, however, in consequence of a revolt, it was closed and all the merchants were transferred to Mogador, which was founded and opened to trade a few years earlier. Were Agadir to be again opened, there can be little doubt that the trade of Mogador would be reduced to small proportions, and that the majority of merchants at that place would transfer their business to Agadir, which is the natural outlet for the trade of the district south of the Atlas.

The late Sir J. Drummond-Hay frequently urged upon former Sultans the opening to trade of Agadir or some other port in Soos, and at one time Sultan Mulai-el-Hassan seemed inclined to follow this advice. In 1882 His Majesty made an expedition to the Soos in order to establish his authority there and opened a port, and, in a Royal letter read in all the mosques at that time, His Majesty announced that he had decided to open a port at Assaka in Tekna; the site of the future port was even marked out and a garrison established at Tiznit, where a kasbah was built. The project was, however, subsequently abandoned. The principal reason why Agadir has not been reopened is that the people of those districts are warlike and turbulent and to a great extent independent of the Makhzen, which is afraid to enrich them and assist them in providing themselves with the means of strengthening their position. The same objection still exists, so I fear Mulai-el-Hafid will be no more inclined to open a port in the Soos than have been his predecessors on the throne.

The suggestion might nevertheless be put forward, and should the Makhzen succeed in establishing its authority in the Soos, Mulai Hafid might see the wisdom of reopening Agadir. There can be no doubt that the Soos people themselves would welcome the step.

I have, &c.

HERBERT E. WHITE.

Enclosure in No. 220*.

Doyen of Diplomatic Body to Cid Guebbas.

(Après les compliments d'usage.)

Tanger, le 24 *juillet*, 1910.

L'ATTENTION du corps diplomatique a été appelée sur le fait que des taxes abusives sont imposées au commerce européen par les Kaïds Anflous et Guilouli par moyen de nombreux "n'zails" établies sur toutes les routes qui conduisent à Mogador. Ces taxes ("n'zails") sont particulièrement abusives entre Mogador et Marrakech. Elles sont formellement contraires aux traités, qui stipulent que des droits de douane, et pas d'autres droits, frapperont le commerce européen au Maroc.

Le corps diplomatique a déjà, il y a quelques années, protesté contre les "n'zails" perçues par le Kaïd Anflous. Il proteste à nouveau très énergiquement

* Not printed.

contre l'établissement de toute taxe sur les routes qui conduisent de Mogador dans l'intérieur, et il vous invite à prendre les mesures nécessaires pour faire cesser l'état illégal dont se plaint le commerce de Mogador. Il serait obligé, à son regret, de rendre le Makhzen chérifien responsable du maintien d'un état de choses qui est formellement contraire aux traités.

Je vous serais obligé de m'accuser réception de la présente communication et de me faire connaître la suite que vous donnerez à la présente réclamation.

cost 35,600 dollars, and that as El Menebhi had nevertheless accepted it I hoped that he (El Mokri) would fulfil his promise and obtain the restoration of the Alcazar property.

The French chargé d'affaires had heard from Cid Belghabrit, now acting French consul at Fez, and spoke to me on the subject, expressing the hope that El Menebhi would accept the modified terms. I called on him to-day, and acquainted him with El Menebhi's acceptance, communicating to him the substance of my instructions to Mr. MacLeod. He said he would instruct Cid Belghabrit to urge El Mokri to obtain the restitution of the Alcazar properties in addition to the 20,000 dollars for the Ulad Jama lands.

I trust that this troublesome question may now be considered settled, though it is probable that some time may pass before the money is paid, as there is no balance available from the recent loan. El Menebhi will receive his principal houses, but he loses his very extensive lands, which used to bring him in large revenues. However, he himself appears to be satisfied, and to be much relieved at a settlement being arrived at.

I have, &c.
HERBERT E. WHITE.

[27804]

No. 220.

Sir Edward Grey to Mr. White.

(No. 114.)

Sir, *Foreign Office, August* 11, 1910.

I HAVE received your despatch No. 159 of the 26th ultimo, enclosing a memorandum from His Majesty's consul at Fez with regard to the possibility of securing the punishment of the persons responsible for the barbarous treatment of the Hadj Ben Aissa family and of preventing the repetition of such cruelties.

With regard to the particular case of the Ben Aissa family, I am of opinion that the suggestions made by Mr. MacLeod are reasonable, and should be adopted.

You will have received by now my despatch No. 95, in which I stated that the French Government had been informed of the instructions sent to you to do all that was possible to secure the abolition of these cruelties, and that they had been requested to instruct their representative at Tangier to support your efforts in this direction. You should accordingly take an early opportunity of consulting with your French colleague with a view to bringing jointly before the diplomatic body Mr. MacLeod's proposals for dealing with the case.

I see no reason why any Power should object to interceding with the Sultan on behalf of the family of Ben Aissa, though I realise that it may be difficult, if not impossible, to secure a commission of enquiry into the matter owing to the personal responsibility of the Sultan for these tortures.

With regard to the general question of preventing the occurrence of such cruelties in the future, the suggestion made by Mr. MacLeod that all trials and the infliction of punishments should be public, the officials presiding at such trials or ordering such punishments being held responsible for the justice of the proceedings, appears to me to be excellent, and you should consult your French colleague, so that this proposal also may be brought jointly before the diplomatic body.

I trust that your French colleague will not refuse to adopt this course, but should he do so, I consider that, unless you see valid reasons to the contrary, you should put forward the proposal alone, as one of which your colleagues may well take cognizance and discuss with any others which may have been suggested to them.

I observe that the appointment of a judicial adviser is also suggested in your despatch, but I fear that the difficulty of obtaining the support of all the Powers to such a proposal and the strenuous opposition which it would encounter from the Sultan renders it hardly practicable for the moment. It would, I think, be better to wait and see what the effect will be if the Powers succeed in securing publicity of trials and punishments. Should, however, such publicity, if obtained, prove insufficient to check these abuses, it will be necessary to consider what further steps can be taken, and in this connection your suggestion as to the appointment of a judicial adviser is of much value.

I am, &c.
E. GREY.

[29500]

No. 221.

Mr. White to Sir Edward Grey.—(*Received August* 15.)

(No. 159.)
Sir,

Tangier, August 6, 1910.

I TOOK the first opportunity, after receipt of your despatch No. 94 of the 25th ultimo, of speaking to the French chargé d'affaires regarding the state of prisons in Morocco. He said he had not yet heard from his Government on the subject, but promised to let me know as soon as he did. I shall then lay the matter before the diplomatic body, and suggest that a joint request be made to the Sultan to reinforce the regulations formerly made by Mulai Abdul Aziz. In the meantime I shall mention the matter to the various representatives individually, with a view to obtaining their support.

I have the honour to transmit herewith copy of a circular despatch I have addressed to the consular officers in the sense of your instructions.

I may mention that a few days ago I received a radiogram from His Majesty's vice-consul at Mogador informing me that the political prisoners at that place were without food and in a starving condition, the governor stating that he had no funds for the purchase of food for them, and was without instructions. I communicated with Cid Guebbas, who at once sent instructions by telegraph to the Governor of Mogador to provide the necessary food. The Spanish Minister, who had also heard from his consul at Mogador, made similar representations to Cid Guebbas I since heard from his Majesty's consul at Mogador that he had arranged with his Spanish colleague to provide food to these prisoners at their joint expense until the necessary orders were received, and a charitable Frenchman had also sent them bread, so their wants were attended to as soon as their state was known at Mogador.

I have, &c.
HERBERT E. WHITE.

Enclosure in No. 221.

Mr. White to Consular Officers.

(Circular.)
Sir,

I AM directed by His Majesty's Secretary of State for Foreign Affairs to instruct you to give your attention to the state of the prisons in your district, and to satisfy yourself by periodical inspections by some trustworthy person that all that can be expected is being done to ameliorate the lot of the unfortunate prisoners. You should make representations to the local authorities in regard to anything which you consider should be done, and you should report to this legation on the subject should your representations lead to no results. You should in any case forward to this legation from time to time a report on the state of the prisons in your district.

I am, &c.
HERBERT E. WHITE.

[29501]

No. 222.

Mr. White to Sir Edward Grey.—(*Received August* 15.)

(No. 160.)
Sir,

Tangier, August 6, 1910.

THE Howard Association suggest in a letter of the 14th July that the present system of consular protection, for which the Powers are in a measure responsible, leads to much injustice and oppression, and they state that they desire to see this unjust and cruel system replaced by mixed tribunals. With regard to this suggestion, I would observe that, though personally I regard the system of protection as an evil which should be abolished, if some other means could be devised for protecting the interests of merchants, or, at any rate, should be brought within proper limits, I cannot agree with the Howard Association that it is answerable nowadays for much injustice and oppression. On the contrary, it protects a large number of natives from the oppression of the Moorish authorities.

Formerly, it is true, the protégés of certain legations made use of their protection

to enforce usurious and unjust claims against natives, but I am glad to say the legations now exert much greater care in this respect, and though such cases must still occur without coming to the knowledge of the legations, I believe they are uncommon. It must be borne in mind, too, that the persons who made use of their protection for this purpose would probably have been guilty of the same conduct, with the assistance of the Moorish authorities, had they not had protection. On the other hand, with the great extension of protection, there are fewer persons worth "squeezing" left to the mercy of the native authorities, and therefore one may consider it rather a check on oppression than otherwise. In one respect it causes hardship to those who remain without protection: as protected persons escape taxation, their unprotected brethren have a heavier burden to bear, as the governors insist on getting in the contributions of their tribes.

As reported in my despatch No. 125 of the 9th ultimo, the whole question of protection is to be discussed on el Mokri's return from Fez. It cannot be expected that the Powers will consent to the abolition of protection until a proper system of government is established in the country, so that the natives may be secure from oppression. Were this the case, but few Moors would wish for protection. In the meantime it would, to my mind, be perhaps advantageous that the effect of protection should be greatly curtailed, so that it should be merely the person of the Semsar and not his business that is protected. At present a Semsar is to all intents and purposes in the same position as the subjects of the nation by which he is protected. His own business, as distinct from that of his employer, is fully protected. Thus, all the wealthy natives seek protection, and much of the time of consular officers is taken up with protecting their interests, pressing their claims, &c.; the idea being that, unless they can get in their own money, they may not be able to pay for the goods they purchase from foreign merchants. Thus a number of Semsars are not really agents of the firms who obtain certificates of protection for them, but merely customers. This appears to me to be a wrong system. Semsars should be genuine agents, and it should be merely the interests of their principals which should be protected and the person only of the Semsar. We have had several applications from English firms for the grant of Semsar certificates to native merchants who are merely clients and not agents, the greater part of whose trade is with foreign countries and not with England.

It is difficult to see how the establishment of mixed tribunals would cure the evil of injustice and oppression; such tribunals could only deal with questions between foreigners and natives, and the majority of the cases of injustice and oppression occur where the native officials are dealing with natives whom they desire to squeeze.

I have, &c.
HERBERT E. WHITE.

[29502]

No. 223.

Mr. White to Sir Edward Grey.—(*Received August* 15.)

(No. 161.)
Sir,

Tangier, August 6, 1910.

I HAVE the honour to transmit herewith copy of a despatch I have received from His Majesty's consul at Casa Blanca, reporting great activity on the part of German companies in the southern districts, the Mannesmann Brothers being the moving spirits

I have, &c.
HERBERT E. WHITE.

Enclosure in No. 223.

Consul Madden to Mr. White.

(No. 143. Confidential.)
Sir,

Casa Blanca, August 2, 1910.

THE Germans appear to be creating considerable new interests in this district, and are active in starting fresh commercial enterprises.

A company with a capital of 8,000*l.* has been formed to build a grinding and sawing mill. There is another with a capital of rather over 1,000*l.*, a mining company;

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while a third is a projected hotel company, for which an option at 5,000*l.* has been obtained on a house and garden outside the town belonging to a British subject. The Mannesmanns are at the head of all these concerns, in which, however, local German houses are considerably interested. I understand from my colleagues at the German consulate that there are two other companies either being or to be formed.

As regards agricultural enterprise, the Mannesmanns have two large farms in Zenatta and Ziaida, one of which is 12,000 hectares in extent. Only one of these farms is as yet in proper working order, but the second has been planted with trees, &c., I am told. There are three other German farms in Showia belonging to resident Germans. Modern agricultural implements and appliances have been imported for these German farms. I was told at the consulate that next year there will be twelve German farms in Showia.

From a private source I learn that representatives of the Mannesmanns are at Saffi in connection with the purchase of land in Abda for farming purposes.

The vice-consul at Mogador reported to me recently the arrival in that town of two travellers of the Mannesmann enterprise, named Dr. Bodenstedt and Herr Schmid-Schröder, who, he said, appear to be of a higher class than the other representatives of the group still at Mogador. The above-named persons, who are, I believe, mining engineers, have left Mogador for an unknown destination, said by some to be Marrakesh, and by others the Soos.

I have, &c.
A. M. MADDEN.

[29504] No. 224.

Mr. White to Sir Edward Grey.—(*Received August* 15.)

(No. 163.)

Sir, *Tangier, August* 7, 1910.

THERE is no definite news regarding the result of the visit to Fez of the deputations from the Taza tribes. The members of the deputations were very warlike in words, but the ardour of their fellow-tribesmen was apparently considerably damped on hearing particulars of the heavy losses suffered by the Beni Bou Yahi and their allies from neighbouring tribes when they attacked the French. The movement has greatly improved Mulai Hafid's position, and may lead to his establishing his authority in Taza. There can, however, be little doubt that he has made his own arrangements with the French, and has not the remotest idea of opposing them in that quarter.

His Majesty's consul at Fez tells me that he has heard privately that Abdel Malek Mahideen, who has for some time been intriguing against Mulai Hafid in the Taza district, has now sent letters to the Algerian secretary of the French Consulate, and to an influential Moor at Fez, who was at one time employed in an official capacity on the Algerian frontier, requesting their assistance in effecting a reconciliation with the Sultan, and engaging to bring about the submission of the Branes tribe to His Majesty.

Mulai-el-Kebir's position has become very precarious, and the Sultan is endeavouring to obtain his arrest. It is said, however, that he has fled eastwards, and may take refuge in Algeria.

In the meantime, the Sultan has undoubtedly shown a better disposition, and appears anxious to undo the ill-effects of his previous policy, and to establish good relations not only with the French, but also with ourselves and with other Powers. Cid-el-Mokri's arrival at the Court has accentuated this new line of policy, and his Excellency has declared to Mr. Consul MacLeod that his principal aim is to restore friendly relations between the Makhzen and the Powers. The Grand Vizier, El Glawi's, position has apparently been somewhat shaken, and it was even believed at Fez that he would probably be directed to return to his home. It seems to me improbable, however, that there is any real foundation for this report, though El Glawi is doubtless out of touch with the Sultan in his new policy. It is also said that the power of the chamberlain, El Krisi, is on the wane—an excellent thing, if true, for he has undoubtedly exerted a very evil influence on the Sultan. Another sign of a better disposition on the part of Mulai Hafid is that orders have been given to Hadj Dris Bengelun to return to Tangier and resume his functions as Moorish High Commissioner at the State Bank and member of the Customs Committee. This official had given great satisfaction here, and was recalled to Fez in disgrace some months ago, notwithstanding the protests of the French Legation. Whilst noting this better

disposition on the part of Mulai Hafid, I must observe that I share the opinion expressed by M. Gaillard, that it may be only a passing mood adopted of necessity rather than from conviction. Past experience of Mulai Hafid renders me very sceptical as to his good intentions being genuine or any improvement lasting.

From the south there has been little news of interest lately. The recent fighting at Tadla has not given rise to any complications, though at one time the fanaticism and warlike spirit of the tribes was aroused by widely disseminated reports to the effect that the French had been repulsed with heavy loss. The French apparently consider it prudent to increase their forces in Shawia. His Majesty's consul at Casablanca informs me that some 800 troops have recently arrived there, and that it was said there would be about 2,500 brought altogether, as against 500 to be repatriated. Mr. Madden has, however, no official information on the subject at present, and gives the information under reserve. I have had no opportunity of enquiring of M. de Billy on the subject.

The French consul at Mogador has concluded his mission to Marrakesh, where he has been investigating the circumstances of the murder of M. Mauchamp in 1907. I believe he is convinced that the murder was instigated by Mulai Hafid, then Viceroy, with the object of discrediting Mulai Abdel Aziz with the French and facilitating his own advent to the Throne, for which he was already intriguing. The consul left Marrakesh on the 28th ultimo. He stated that a permanent French vice-consulate will be established at Marrakesh as soon as the Mauchamp affair has been settled.

I have, &c.
HERBERT E. WHITE.

[29500] No. 225.

Sir Edward Grey to Mr. White.

(No. 117.)

Sir, *Foreign Office, August* 18, 1910.

I HAVE received your despatch No. 159 of the 6th instant with regard to the state of the prisons in Morocco, and I approve the action you have taken in the matter and the circular instructions to His Majesty's consular officers as reported therein.

You will by now have received my further despatch No. 114 of the 11th August on this subject.

I am, &c.
E. GREY.

[30260] No. 226.

Mr. White to Sir Edward Grey.—(*Received August* 20.)

(No. 174.)

Sir, *Tangier, August* 13, 1910.

WITH reference to my despatch No. 159 of the 6th instant, I have the honour to report that the French chargé d'affaires called upon me this morning and informed me that he had received a despatch from his Government in regard to the representation you desired should be made to the Moorish Government with a view to obtaining an amelioration of the treatment of prisoners in this country.

M. de Billy said his Government considered it would be better not to invite the intervention of the diplomatic body in the matter, as it would probably introduce a political element into a question which should be regarded purely from the humanitarian point of view. There are, unfortunately, jealousies in this country which would make the selection of the persons to inspect the prisons a delicate matter. The French Government have doctors at the ports and principal towns, and they are ready to instruct them to periodically inspect the prisons and report thereupon from the sanitary point of view.

I pointed out to M. de Billy that it would be as well that the inspection should go beyond the purely sanitary point of view, and that the inspectors should report any case of cruelty that came under their notice, such as the placing of chains upon prisoners in such manner as to inflict pain.

I also said that it was to my mind important that the prison regulations made by Mulai Abdel Aziz should be reinforced, and I explained their purport to M. de Billy, who had no knowledge of them. He objected to the expense entailed by the appoint-

ment of the necessary officials, and observed that, in the present state of Moorish finance, it would be difficult to suggest measures entailing expenses. I replied that this difficulty could be overcome by assigning the duties to officials already existing, such as the administrators of Government revenues. This suggestion appealed to M. de Billy, as these administrators work in conjunction with and are under the control of the French loan controllers; and he is submitting the suggestion to his Government.

If the French Government is disposed to take up the matter seriously, I am of opinion that more satisfactory results can be obtained in that manner than by representations by the diplomatic body, which often have little or no real effect, as was shown in the case of the Bu Hamara cruelties.

I propose, therefore, in the absence of further instructions, to abstain from laying the matter before the diplomatic body.

I have, &c.
HERBERT E. WHITE.

[30513] No. 227.

Mr. White to Sir Edward Grey.—(Received August 22.)

(No. 175. Confidential.)
Sir, *Tangier, August 16, 1910.*

THE French chargé d'affaires informed me to-day in confidence that Cid-el-Mokri, who is expected to arrive here on the 20th instant, brings with him shereefian orders effecting great changes in the Government departments here.

The constitution of the Dar-en-Niaba or Foreign Office is to be changed; Cid Guebbas will be at the head, and have sole responsibility, remaining, of course, under the Vizier for Foreign Affairs, El Mokri, whose usual residence is at the Court. There will be a "Directeur Politique" and heads of departments on the model of the French Foreign Office, each of whom will be responsible for his own department under the authority of Guebbas. This will be a far more satisfactory system than the present one, where Guebbas shares his powers with the subordinate commissioners, who act as spies on him and on each other, with the result that none of them dare to show themselves favourably disposed towards foreigners, knowing that it is only by obstruction that they can gain kudos at Court. Bargash and Ben Saïd, two of the most objectionable members of the present Commission for Foreign Affairs, are removed; the latter is to be named Governor of Saffi, the former will be unemployed.

Another change which will meet with general approval is the transfer of Guebbas' son, now Basha of Tangier, to Casa Blanca, where he will act in a similar capacity, but will be under French control. He has proved himself venal and incapable, his only aim being to make money.

Cid-el-Mokri's youngest son will be appointed Basha of Tangier. This appointment would not appear to be a very good one, as the new basha is only about 22 years old, and M. de Billy said that El-Mokri himself did not desire it, but that the Sultan insisted. Zungari will be appointed khalifa or lieutenant-governor; he is a capable official who has worked with the French loan controllers, and given satisfaction. The intention apparently is that El-Mokri's son should be at first a mere figure head, and act on the advice of his khalifa.

I have, &c.
HERBERT E. WHITE.

[30260] No. 228.

Sir Edward Grey to Mr. White.

(No. 121.)
Sir, *Foreign Office, August 25, 1910.*

I HAVE received your despatch No. 174 of the 13th instant, and, in view of your conversation with the French chargé d'affaires and of your own opinion in the matter, I approve your proposal not to invite the intervention of the diplomatic body in regard to the amelioration of the prisons in Morocco.

If, however, you consider that there is undue delay on the part of the French authorities, or that they are not seriously endeavouring to deal with the question, you

should report to the Foreign Office in order that I may consider the desirability of making further representations to the French Government.

I am, &c.
E. GREY.

[31038] No. 229.

Sir F. Bertie to Sir Edward Grey.—(Received August 26.)

(No. 320.)
Sir, *Paris, August 24, 1910.*

I HAVE the honour to transmit to you herewith copy of a communication from M. Pichon in reply to the representations addressed to him by Mr. Carnegie in accordance with the instructions contained in your despatch No. 347 of the 25th ultimo, in regard to the cruelties inflicted by the Sultan of Morocco upon the wife and family of Ben Aissa.

His Excellency recapitulates the measures demanded by the French consul at Fez for the protection and treatment of Lalla Batoul, and expresses the hope, in view of the prompt execution of those measures, that such deplorable practices will gradually cease in Morocco. He adds that the prompt and energetic action of the French representatives in the matter will certainly contribute to their being modified.

I have, &c.
FRANCIS BERTIE.

Enclosure in No. 229.

Memorandum by M. Pichon.

PAR une note en date du 27 juillet dernier, l'Ambassade d'Angleterre à Paris a fait connaître au Ministère des Affaires Étrangères que, impressionné par la nouvelle des tortures qui auraient été infligées par le Sultan du Maroc à la femme et à la famille de Ben Aïssa, le Gouvernement britannique avait prescrit à son représentant à Tanger de faire tout le possible pour obtenir l'abolition de pareils supplices.

Dès l'année dernière, les consuls de France et d'Angleterre à Fez ont, sur l'ordre de leurs Gouvernements, fait d'énergiques représentations au Sultan pour obtenir la cessation des supplices infligés aux prisonniers appartenant aux troupes du Rogui. Après la prise de Bou Amara, notre Ministre à Tanger fit convoquer d'urgence le corps diplomatique en vue d'une démarche collective dans le même sens. La difficulté d'obtenir l'unanimité des Puissances sur cette question n'échappa pas à Moulay Hafid et, malgré l'effort tenté à Fez, le Rogui fut mis à mort.

Le Gouvernement de la République ne s'est pas borné aux démarches qui viennent d'être rappelées; il a interdit aux officiers instructeurs français, en mission au Maroc, de suivre dorénavant les mahallas du Sultan.

Au mois de mai de cette année, Moulay Hafid a fait savoir, par une lettre officielle adressée au corps diplomatique à Tanger, que "les circonstances avaient changé depuis la répression infligée au Rogui et qu'il était décidé à n'appliquer aucune punition qui pût porter atteinte aux sentiments de confiance des Puissances étrangères.

Cependant, on apprenait récemment que la femme de Ben Aïssa avait été torturée. Notre consul à Fez fit de suite amener dans cette ville Lalla Batoul, qui fut examinée par la femme du médecin français et par deux dames de la mission anglaise. Peu de jours après, ainsi que l'avait prescrit le représentant français à Tanger, M. Gaillard et le Docteur Weisgerger obtinrent la mise en liberté de Lalla Batoul et son retour dans sa famille. M. de Billy signalait en même temps à Mokri la pénible impression causée par ces nouvelles cruautés.

Un examen médical de Lalla Batoul a été fait ensuite à Mékinez par le médecin de la mission militaire française, qui a indiqué un traitement. Il a été convenu avec Moulay Hafid que Lalla Batoul serait installée à Fez, selon le désir du médecin du dispensaire français, dans une maison attenante au palais, où sont des appareils de radiographie; on lui donnera plus tard une maison en ville, où le docteur continuera de la visiter jusqu'à guérison complète.

L'attitude du Sultan, qui affirme n'avoir jamais ordonné les sévices exercés contre Lalla Batoul, et la prompte exécution des mesures demandées par M. Gaillard permettent de croire que ces pratiques déplorables disparaîtront peu à peu du Maroc ; l'action immédiate et énergique des agents du Gouvernement de la République dans cette affaire contribuera certainement à les modifier.

Paris, le 23 *août*, 1910.

[31872] No. 230.

Mr. Norton to Mr. Langley.—(*Received September* 1.)

My dear Langley, *Argyll House, Chelsea, London, August* 28, 1910.

YOU may remember my speaking to you at the end of July about the Société marocaine de Travaux publics, of which, as you know, I am a director. After various essays, more or less unsuccessful, the board had come to the conclusion that it was useless to attempt to carry out small and isolated works in Morocco, and that the only policy was to prepare a comprehensive scheme, including ports and railways, and endeavour to obtain for it the support of the various Governments interested under the Act of Algeciras. Such a scheme has now been formulated. It is set forth in a letter which has been addressed to the French Minister for Foreign Affairs, copy of which I enclose. The letter explains itself. You will see that the company ask for the grant of concessions which it would take about 60,000,000 fr. to carry out. This sum (or more, if required) they are prepared to find themselves, without the hypothecation of any revenues or loan, and subject only to the guarantee of the Shereefian Government —any deficit to be made good only eventually, within a period of, say, ten years.

I need not go into details, which are contained in the letter itself. The gist of the matter is that owing to the want of public works the development of Morocco is at a standstill ; and that, owing to the present working of the Act of Algeciras, it seems very unlikely that any adequate scheme can be undertaken without some such co-operation as this of all the Powers interested. It was, indeed, for this very purpose that the international Société marocaine de Travaux publics was formed, more or less under the auspices of the French Government.

You may perhaps object that all the Powers are not equally interested in the company, and that the English participation is a very small one. This is true : it is a point that I have raised at the board meetings ; and in sending me a copy of this letter the chairman writes : " Il va sans dire que je suis tout disposé à rechercher avec vous les moyens d'augmenter, sous forme de fournitures, la part qui a été réservée aux Anglais dans la distribution du capital de notre société."

As a matter of fact, I have little doubt that if the large concession asked for were granted, the English participants would not only be asked, but required, to find more than their quota, with a corresponding interest in the subsequent development.

May I hope, at any rate, that the Foreign Office will give the proposal careful consideration, and that, if it meets with Sir Edward Grey's approval, Mr. Lister will be instructed to support it ? We have a board meeting in Paris on the 19th September, but I suppose it will hardly be possible to let me have an answer so soon.

Yours very sincerely,

R. D. NORTON.

Enclosure in No. 230.

The Société marocaine de Travaux publics to M. Pichon.

M. le Ministre, *Paris, le* 11 *août*, 1910.

J'AI l'honneur de vous rappeler que, dès les premiers mois de l'année 1909, nous nous sommes efforcés, d'accord en cela avec votre département, de grouper en une Société marocaine de Travaux publics les nations européennes susceptibles de poursuivre ce genre d'affaires au Maroc.

Les négociations, entamées sur la base d'une participation de 50 pour cent aux Français, furent d'abord suivies avec le groupe allemand, qui, après deux ruptures, acceptait enfin le principe d'une participation de 30 pour cent, sur laquelle il s'était engagé formellement à réserver une part à l'Autriche. Il restait donc 20 pour cent aux autres nationalités, et nous avons pu répartir ce reliquat entre des groupes espagnols,

anglais, belges, italiens, et portugais. La Société marocaine de Travaux publics était définitivement constituée en janvier 1910, et l'impression générale, telle que la formulait d'ailleurs à cette époque son Altesse le Prince de Radolin, était que les compétitions entre diverses nationalités devaient maintenant faire place à une action comme basée sur les règles de répartition de travaux de la Société marocaine de Travaux publics.

Cependant depuis cette époque, et malgré l'activité manifestée par la nouvelle société, qui étudia successivement un projet de phares, un projet d'adduction d'eau et d'éclairage de Tanger avec tramway électrique, et enfin un projet de port à Tanger, aucune de ces affaires n'a pu aboutir encore.

La cause dominante de ces retards est en réalité la question financière. Aucun prélèvement n'a pu être effectué en faveur des travaux publics sur l'emprunt de 1910, et la totalité des revenus actuels du Makhzen sont absorbés tant par le service de l'emprunt que par celui de l'indemnité de guerre du Gouvernement français.

Il n'est pas possible que l'accroissement des recettes actuelles soit assez rapide pour fournir promptement de nouvelles ressources disponibles.

Par conséquent, ces nouvelles ressources ne peuvent être obtenus que d'un essor économique résultant de l'ouverture de ports, routes, chemins de fer, de nature à créer de nouvelles sources de richesses.

Mais pour être réalisables, il faut que ces créations puissent fournir par elles-mêmes les ressources nécessaires à leur exécution sans grever le budget chérifien, qu'elles doivent, au contraire, pouvoir alimenter.

Peut-on en effet recourir à un nouvel emprunt ? Nous ne le pensons pas. En premier lieu, parce que, comme nous venons de l'indiquer le service financier des emprunts antérieurs ne laisse même encore pas disponible les sommes nécessaires pour faire face à l'annuité de guerre due au Gouvernement français. En second lieu, parce que le fait de priver immédiatement le Makhzen de toute augmentation dans les recettes le désintéresserait de la gestion financière du pays. En troisième lieu, parce que les revenus des travaux publics ne pouvant être immédiats, le résultat serait encore une fois d'enlever au Makhzen le revenu disponible sans aucune compensation. Enfin, l'opération fût-elle possible financièrement, serait-il bon, dans l'intérêt du crédit marocain, de faire un petit emprunt de 30,000,000 ou 40,000,000, faible d'ailleurs, eu égard à l'ensemble de travaux à exécuter, et ne donnerait-on pas au public une impression fâcheuse de dénouement continuel ?

L'opération serait-elle même tentante au point de vue financier et serait-elle suffisante pour supporter les charges d'une émission de cette nature ?

Nous estimons, pour toutes ces raisons, que le principe de l'emprunt doit être, sinon rejeté, du moins ajourné, comme nous l'indiquerons plus loin, et nous proposons le système de la concession d'un ensemble de travaux consistant en constructions de ports et de chemins de fer avec leur exploitation.

Ce système a l'avantage de fournir de lui-même les ressources financières suffisantes.

Nous indiquons plus loin la nature des travaux à concéder. Nous en estimons l'importance à un chiffre approximatif d'une soixantaine de millions, et nous posons en principe que le concessionnaire fera l'avance de ses fonds qu'il se procurera lui-même par l'émission d'obligations dont l'intérêt devra être garanti par le Gouvernement chérifien en cas d'insuffisances des recettes.

Ces recettes seront constituées pour les chemins de fer par les recettes d'exploitation et pour les ports par la perception des droits de ports et de quais établis d'un commun accord avec le Gouvernement chérifien, conformément aux articles 65 et 70 de l'Acte d'Algésiras.

On voit donc que le système de la concession fournit immédiatement des ressources qui peuvent à la vérité être insuffisantes, et nous estimons que le concessionnaire ne devra pas réclamer le montant de ces insuffisances au moment même où elles se produiront.

Il ouvrirait simplement sur ses livres un compte au Gouvernement chérifien et le débiterait annuellement des insuffisances résultant de la différence entre les recettes nettes et le service d'intérêt garanti par les obligations.

En déduction de ce compte d'intérêts arriérés et pour ne pas le grossir indéfiniment, le Gouvernement chérifien pourrait verser :—

1. Une somme à déterminer et pouvant être prélevée annuellement sur les fonds disponibles de la caisse spéciale.
2. Une portion des sommes pouvant lui revenir dans une proportion à déterminer du produit de l'aliénation des terrains conquis sur la mer.
3. Les sommes quelconques pouvant provenir des ressources particulières du

Makhzen, et notamment les sommes disponibles sur les emprunts qui pourraient intervenir.

Le solde de ces intérêts constituerait un compte débiteur du Makhzen vis-à-vis du concessionnaire arrêté semestriellement en capitaux et intérêts et dont le concessionnaire ne pourrait demander le remboursement avant un délai donné, dix ans, par exemple, courant du point de départ de la concession.

On voit que le système a pour effet de permettre l'exécution de travaux sans qu'aucun débours puisse être imposé au Makhzen avant un délai de dix années, qui serait peut-être suffisant pour qu'avant son expiration l'arriéré fût remboursé et la concession devenue productive.

Il serait en effet prévu au-delà d'un chiffre de recettes à déterminer un partage de bénéfices appliqués tout d'abord à solder l'arriéré du compte d'intérêts et des causes spéciales pourraient permettre au Gouvernement chérifien le rachat de la concession.

Ce système est, d'ailleurs, dans ses grandes lignes, celui qui a permis la construction de ports de divers pays. Un commissaire chérifien auprès du concessionnaire, qui pourrait être pris dans le personnel de la Dette publique, maintiendrait ce principe de la non-aliénation d'un service public.

Enfin, la possibilité pour le Makhzen de s'acquitter vis-à-vis du concessionnaire lui permettrait de reprendre la direction de l'exploitation.

Il convient maintenant de rechercher quelle devrait être la nature de la concession ainsi accordée. Nous estimons qu'elle doit porter sur un ensemble de travaux importants, d'abord pour permettre de donner un élément à toutes les activités engagées, ensuite pour atteindre sûrement le but économique désiré. Elle devrait, à notre sens, comprendre :—

La création des deux ports de Tanger et Casablanca.

L'établissement d'une voie ferrée reliant Tanger, El Kzar, et Larache, avec prolongement éventuel sur Fez.

L'établissement d'une voie ferrée reliant Casablanca à Ber Rechid, Settat, et l'Oum-er-Rebia, avec prolongement sur Marrakech.

L'exploitation de ces voies ferrées et des ports, docks, et magasins généraux de Tanger, Casablanca, et Larache, la création de ce dernier port ayant été réservée à un groupe allemand par des conventions antérieures.

Un droit de préférence éventuel pour les prolongements et les raccordements avec les autres voies ferrées.

Il convient de remarquer que l'ensemble de ces travaux ne constitue guère que les concessions accordées à divers participants de la Société marocaine des Travaux publics, notamment pour les ports de Casablanca et Larache, et qu'il s'agit d'y joindre celui de Tanger en coordonnant l'exploitation et celle de voies d'accès.

Il nous paraît nécessaire que les différents ports soient exploités par une même société, pour éviter les guerres de tarif et concentrer tous les efforts dans les mêmes mains. C'est dans le même ordre d'idées que le réseau de chemins de fer doit être coordonné avec l'exploitation des ports. Il y a de plus un intérêt primordial à ce que la construction des voies ferrées soit commencée immédiatement pour éviter dans l'avenir des prix exagérés d'expropriation. Enfin, nous sommes les premiers à nous rendre compte des modalités spéciales qui pourraient résulter des conditions particulières à la seconde tranche des travaux à exécuter à Casablanca sur le tribut de guerre. Il nous reste en dernier lieu à examiner comment doit être donnée cette concession, et nous croyons que la conclusion découle d'elle-même de l'exposé qui vient d'être fait, c'est-à-dire que la concession doit être donnée de gré à gré à la Société marocaine de Travaux publics, qui possède déjà des documents et études qui éviteraient des pertes de temps et des dépenses nouvelles.

En ce qui concerne le principe de gré à gré, il est dit à l'article 107 de l'Acte d'Algésiras que l'adjudication publique ne sera appliquée que dans les matières qui en comportent l'application dans les législations étrangères.

Or, dans aucune législation des travaux aussi importants et aussi compliqués que ceux des ports et voies ferrées ne donnent lieu à adjudication, sauf lorsqu'ils sont exécutés avec les ressources du Trésor public.

Ils sont concédés de gré à gré à des personnes présentant les garanties nécessaires au point de vue technique et financier. Sur le premier point nous n'avons pas besoin de vous rappeler que la Société marocaine de Travaux publics compte parmi ses membres les Établissements Schneider, la Maison Holzman and Co., la Maison Sager et Woerner (cette dernière déjà concessionnaire des travaux du port de Larache), MM. Dollfus et Hersent. Au point de vue financier, elle peut compter, en dehors

de ses ressources propres, sur l'appui du Crédit foncier d'Algérie et de Tunisie (capital social, 40,000,000) et de la Banque de l'Union parisienne (capital social, 60,000,000).

Enfin, l'esprit de l'Acte d'Algésiras étant d'empêcher qu'une nation puisse obtenir des avantages au détriment d'une autre, n'est-il pas conforme à cet esprit que la concession soit donnée à un groupement international formé avec le consentement des Puissances intéressées ?

La vue d'ensemble de la complexité des intérêts découlant d'un programme de travaux publics suffit pour se rendre compte que l'attribution de ces travaux ne peut être laissé au hasard d'une adjudication. L'étude préliminaire, technique et financière, demande un travail et des dépenses que des éléments sérieux n'assumeront qu'avec la certitude d'en obtenir le dédommagement par l'obtention de la concession.

L'intérêt général n'est-il pas d'éviter la dislocation de cette Société marocaine de Travaux publics, qui se produira fatalement si les travaux sont adjugés à d'autres qu'à elle ?—chose toujours possible moyennant un insignifiant rabais sur des conditions qui ne peuvent matériellement être tenues secrètes.

Enfin, dans le cas où des réclamations se produiraient dans certains groupes au sujet du pourcentage à eux attribué, comment serait-il possible d'y faire droit s'il n'y a pas un important ensemble de travaux et fournitures à répartir ?

Je me permets donc, M. le Ministre, d'insister plus particulièrement auprès de vous pour l'examen bienveillant d'une proposition qui aurait pour objet de doter le Maroc d'un outillage économique créé par la coopération de toutes les nationalités ayant des intérêts au Maroc et assuré par un système financier d'une souplesse absolue permettant non seulement d'obtenir progressivement les ressources nécessaires sans obérer le Trésor chérifien, mais même d'espérer une source nouvelle de revenus.

Veuillez, &c.

Le Président du Conseil d'Administration.

[32009] No. 231.

Mr. White to Sir Edward Grey.—(*Received September* 3.)

(No. 178.)

Sir, *Tangier, August* 27, 1910.

I HAVE twice discussed with the French Minister the question of the treatment of the Ben Aissa family and the steps to be taken to prevent the occurrence of such cruelties in the future, and have communicated to him the suggestions made by His Majesty's consul at Fez, approved in your despatch No. 114 of the 11th instant.

M. Regnault expressed his sympathy with the object desired, but observed that, in his opinion, it would be better attained by unofficial negotiations than by action of the diplomatic body, which would irritate the Sultan and might even lead to further cruelties, as in the case of Bu Hamara, whose fate, it is believed by many, was sealed by the representations of the diplomatic body regarding the tortures inflicted on his adherents.

M. Regnault has spoken on the subject with El Mokri, and tells me he feels confident that the speedy release of all the members of Ben Aissa's family can be obtained; he fears, however, that Ben Aissa himself must remain a prisoner for the present, as letters of his which were intercepted show that he was stirring up the Berber tribes near Mequinez to revolt. M. Regnault considers it hopeless to attempt to obtain the restoration of the Ben Aissa property—mostly ill-gotten gains, as Ben Aissa and his family, when in power, were themselves guilty of cruelty and extortion—which fact is confirmed by Mr. Consul MacLeod. It is only necessary to remember the Menebhi case, in which the person despoiled was actually a British-protected person, to realise the hopelessness of the task of persuading the Sultan to restore the Ben Aissa property.

M. Regnault also considers that as His Majesty is himself the principal culprit, he would never consent to the appointment of a commission of enquiry comprising European members—the appointment of a purely Moorish commission would be worse than useless.

M. Regnault has as yet received no instructions from his Government on the subject, and it is evident that he himself is very disinclined to join with me in putting Mr. MacLeod's suggestions as regards this specific case before the diplomatic body. I cannot but agree with the force of the objections, and I feel convinced that I should be able to obtain the support of few, if any, of the foreign representatives should I lay the matter before the diplomatic body; whereas on the other hand

I hope, with M. Regnault's co-operation, to obtain some substantial results by inducing El Mokri to put forward suggestions to prevent the recurrence of such cruelties.

El Mokri spoke freely and strongly on this latter point to M. Regnault, which, as pointed out in my previous despatch, touches all court officials closely, not one of whom can be sure that he himself may not be the next victim. His Excellency said emphatically that such practices must be put a stop to, and that the Sultan must be induced to decree that accused persons can only be condemned after proper trial, and that punishments shall not be inflicted in private. The matter is one which requires careful study and tactful handling, so as to avoid any appearance of interfering with religious law and to obtain the Sultan's sanction to the reforms. Any attempt to force His Majesty's hand would be doomed to failure.

I propose to discuss this matter further with M. Regnault and with El Mokri, and shall have the honour to report again on the subject. In the meantime I think it would be inadvisable to invite the co-operation of the diplomatic body—that step might be taken should the discussion with El Mokri lead to no satisfactory results.

I have, &c.
HERBERT E. WHITE.

P.S. *August* 28.—Since closing this despatch I have had a long conversation with El Mokri on the subject. His Excellency repeated to me the assurance that he would obtain the release of Ben Aissa's relations who are still in prison, and would explain to the Sultan that Ben Aissa himself must have a proper trial, and, if guilty, be sentenced to a definite term of imprisonment. I strongly urged El Mokri to endeavour to obtain the return of the confiscated property. His Excellency replied that no money was found, and that it was only the houses and household effects and some jewellery that was confiscated. He promised, however, to obtain the return to the family of a suitable residence with the necessary effects. His Excellency expressed his readiness to discuss with M. Regnault and myself jointly the steps that could be taken to prevent the recurrence of such cruelties, adding that he himself cordially sympathised with the humanitarian object we had in view.

H. E. W.

[32010] No. 232.

Mr. White to Sir Edward Grey.—(*Received September* 3.)

(No. 179.)
Sir,
Tangier, August 25, 1910.

I HAVE the honour to report that Cid-el-Mokri arrived at Tangier on the 21st instant, and was received with great ceremony, all the Moorish officials riding out to meet him, and the police and soldiers escorting him to his house. His son, who accompanied him from Fez, remained in camp a short distance from the town, and made his official entry as basha yesterday, when the usual ceremony was observed.

I beg leave to transmit herewith a cutting from "La Dépêche marocaine" reporting the language held to a member of its staff by Cid-el-Mokri, who has since confirmed to me the accuracy of the report.

His Excellency tells me that he will remain here only about a month, and will then proceed to Paris to negotiate various matters still requiring settlement, amongst them the raising of a further loan, probably, he thought, of about 800,000*l.*, to be applied to the liquidation of the Makhzen debts, which the recent loan was not sufficient to cover, to the harbour works at Tangier, and other pressing requirements.

Before, however, entering upon these negotiations, I understand that Cid-el-Mokri will undergo medical treatment for an ailment from which he is suffering, so that it is unlikely that the negotiations will be concluded for some little time.

His Excellency will also, as reported in my despatch No. 176 of the 16th instant, convey the Hafidi Order which the Sultan is conferring upon M. Fallières.

I have, &c.
HERBERT E. WHITE.

[32011] No. 233.

Mr. White to Sir Edward Grey.—(*Received September* 3.)

(No. 180.)
Sir,
Tangier, August 28, 1910.

I TOOK an opportunity this morning of enquiring of Cid-el-Mokri whether any decision had been taken as to the construction of harbour works at Tangier and Casa Blanca and the establishment of telegraphic communication with Laraiche, Rabat, Mazagan, and Saffi.

His Excellency replied that the difficulty was how to find the necessary funds. The Syndicat International de Travaux Publics had approached him on the matter, but had not made any definite offer. He proposed to discuss the matter with them, and thought they might be disposed to make an advance sufficient to cover the Makhzen's pressing necessities, including about 280,000*l.* for the first outlay on the Tangier harbour works, on the security of the harbour, which might be farmed to them for a term of years; the works themselves, he added, would of course have to be put up to public tender. His Excellency did not see how else the money could be raised, as the Makhzen had already pledged all existing sources of revenue.

It seems to me unlikely that the proposed harbour could produce a sufficient return to cover expenses, interest on the cost of the works themselves, and sinking fund for paying off the debt, if the loan is to be sufficiently large to meet the Makhzen's remaining liabilities and to leave any considerable sum at their disposal for other purposes.

With regard to the extended harbour works at Casa Blanca, Cid-el-Mokri stated that it was proposed to pay for them out of the 2,500,000 fr. to be levied by the French in Showia, which, however, would be insufficient for the purpose. His Excellency informed me that the French desired to give the contract to the Compagnie Marocaine, who have the original contract for the works at present in course of construction. I enquired how this could be done without putting the contract up to tender. His Excellency was himself doubtful on this point, and merely repeated that the French desired it.

Cid-el-Mokri added that the Sultan had approved the recommendation of the Diplomatic Body reported in my despatch No. 16, Commercial, of the 20th ultimo, to remove to Saffi the wireless telegraph station now at Rabat, and to connect the latter place by a land line with Casa Blanca, which place would also be similarly connected with Mazagan. The line from Tangier to Laraiche would, however, have to stand over for the present.

The Moorish Government had entered into an engagement with the Spanish Government not to allow any private non-Spanish company to establish telephone services at the coast towns. The Makhzen therefore proposed to install this service themselves. The electric light at the ports was, however, on a different footing, and for that tenders would be invited later on.

Cid-el-Mokri further informed me that the Government were anxious to lay a railway line from Tangier to Alcazar, to be eventually extended to Fez, with a branch line from Laraiche to Alcazar. They proposed to grant a concession for these lines, reserving to the Makhzen the right of expropriation after a term of years. Tenders would be invited for this concession.

It is not likely that any definite decision can be taken until after Cid-el-Mokri's return from Paris, and therefore I do not anticipate that tenders for any of these works will be issued for some little time.

I have, &c.
HERBERT E. WHITE.

[32013] No. 234.

Mr. White to Sir Edward Grey.—(*Received September* 3.)

(No. 182. Confidential.)
Sir,
Tangier, August 28, 1910.

I HAVE the honour to report that the Moorish envoy to Madrid, who came to Fez to receive fresh instructions, left for Cadiz, on the 26th instant, on board a Spanish cruiser.

PUBLIC RECORD OFFICE, LONDON

I learn confidentially from Cid-el-Mokri that the Sultan was unable to accept the Spanish proposals as they stand, and has instructed his envoy to submit certain modifications in regard to some of them.

The Spanish Government had demanded the establishment of a custom-house at Ceuta. This demand Mulai Hafid had declined to entertain, as also a proposal for the establishment of a police force, under Spanish instructors, outside that place.

On the other hand, His Majesty agreed to such a police force being formed at Melilla, and was also willing to station a body of troops, with Spanish instructors, in the Moorish territories in Riff, at present occupied by the Spanish, on condition that the Spanish troops be withdrawn. The Spanish Government desired that their troops be maintained for a further period of four years alongside the Moorish troops, but to this the Sultan objected, requiring that the Spanish troops be withdrawn as soon as his own force was formed.

His Majesty agreed to the reopening of the custom-house at Melilla, and also consented to accept a Spanish loan of 1,000,000 fr., which, together with the customs receipts, should be applied to the maintenance of the police and troops. The State Bank would, however, under the terms of article 34 of the Algeciras Act, have a right of preference in regard to this loan; it would be accepted from Spain only if the State Bank refused it.

Mulai Hafid further agreed to the appointment of Spanish and Moorish High Commissioners, with similar power and duties as the High Commissioners on the Algerian frontier.

Cid-el-Mokri added that the Sultan had contested the liability of the Makhzen for the expenses incurred by Spain in connection with their military operations in the Riff and subsequent occupation of Moorish territory.

I have, &c.
HERBERT E. WHITE.

P.S.—I am forwarding a copy of this despatch to His Majesty's Ambassador at Madrid.

H. E. W.

[32015]

No. 235.

Mr. White to Sir Edward Grey.—(Received September 3.)

(No. 184.)
Sir,

Tangier, August 28, 1910.

WITH reference to my despatch No. 174 of the 13th instant, I have the honour to report that I have discussed with Cid-el-Mokri the question of prison reform. His Excellency assured me that the matter had his warmest sympathy, and that he was most anxious to devise some means of putting a stop to the scandalous abuses which unfortunately exist. The matter, however, required careful consideration, as unfortunately it was difficult to find Moorish officials who could be trusted honestly and conscientiously to supervise the prisons, and the application of the funds set apart for their maintenance and for feeding the prisoners. He proposed, as an experimental measure, to at once take in hand the Tangier prison, over which his son, the new basha, could exercise proper supervision. He would request Dr. Fumey, the medical officer of the Sanitary Council, to inspect the prisons, in company with a Moorish official, at regular and frequent intervals, and to satisfy himself that the sanitary condition is satisfactory, that there is no illness among the prisoners, and that a proper quantity of bread and water is provided, as well as matting, lamps, &c. A register would be kept, and precautions would be taken that persons were not unjustly detained in prison, nor cruelly treated there. Dr. Fumey would report to the basha the results of his inspection, and would make such recommendations as he thought proper.

If this procedure was found to work satisfactorily, it would be extended to other coast towns, and also to the prisons of the interior.

I thanked his Excellency for his prompt action in the matter, and said that, with his son as basha, I was confident it would produce the best results. I further expressed the hope that similar measures would be adopted without loss of time throughout the country.

The French Government have established dispensaries, with medical officers

attached, in all the principal Moorish towns. I presume El Mokri's intention is to utilise their services, and thus exercise some control over the Moorish officials who may be appointed to supervise in other towns.

I have, &c.
HERBERT E. WHITE.

[32039]

No. 236.

Sir F. Bertie to Sir Edward Grey.—(Received September 3.)

(No. 327.)
Sir,

Paris, September 2, 1910.

I HAVE the honour to transmit to you herewith a copy of M. Pichon's reply to the communication which I addressed to him with a view to carrying out the instructions contained in your despatch No. 343 of the 25th July last, viz., to ascertain the views of the French Government on Mr. White's proposal set forth in his despatch No. 130 of the 13th July last as to the payment by the Makhzen of the costs of arbitration in cases awarded against them.

His Excellency states that the French Minister at Tangier shares Mr. White's views as to the injustice to claimants of the present mode of procedure, and that M. Regnault therefore proposes to request the Moorish Minister of Finance to borrow from the State Bank a sufficient sum for the immediate payment of the costs of arbitration, which would be charged to the Makhzen. This proposal, his Excellency adds, has the entire approval of the French Government.

I have, &c.
FRANCIS BERTIE.

Enclosure in No. 236.

M. Pichon to Sir F. Bertie.

M. l'Ambassadeur,

Paris, le 1er septembre, 1910.

A LA date du 27 juillet dernier l'Ambassade de Sa Majesté britannique a exprimé le désir de connaître les vues du département sur une question soulevée par le chargé d'affaires d'Angleterre à Tanger, et qui visait le paiement des frais d'arbitrage entraînés par le règlement des créances étrangères sur le Makhzen, dans le cas où la créance reconnue valide ne pourrait être payée par le Trésor chérifien.

Des renseignements fournis à ce sujet par la Légation de la République au Maroc, il résulte que le délégué chérifien à Tanger a déclaré au doyen du corps diplomatique que son Gouvernement comptait s'en tenir aux termes de l'article 18 du Règlement relatif à la Commission des Réclamations étrangères. Les honoraires des arbitres devraient donc être avancés par les réclamants et, en cas de condamnation du Makhzen, la somme allouée à l'appelant serait majorée du montant de ces honoraires augmentés d'un intérêt de 7 pour cent. Cette décision, inattaquable en droit, ne paraît pas être très équitable en fait, et notre représentant à Tanger l'apprécie comme son collègue d'Angleterre. M. Regnault se propose donc de demander au Ministre chérifien des Finances d'emprunter à la Banque d'État une somme suffisante pour le paiement immédiat des frais d'arbitrage, qui seraient mis à la charge du Makhzen. Cette proposition tendrait à résoudre la question dans le sens des vues du Gouvernement britannique, et elle a la complète approbation du Gouvernement français.

Agréez, &c.
(Pour le Ministre des Affaires Étrangères,
absent, et par autorisation),
GEORGES LOUIS.

PUBLIC RECORD OFFICE, LONDON

[32656]

No. 237.

Mr. White to Sir Edward Grey.—(Received September 7.)

(No. 47.)
(Telegraphic.) P. *Tangier, September 7, 1910.*

I HAD a visit this morning from Cid-el-Mokri, who seemed much perturbed respecting the intentions of the Spanish Government. He states that they are evidently preparing for making an expedition from Ceuta, where they are concentrating a large force with camp equipment, artillery, &c. Their objective is said to be Apes Hill and Tetuan, and this is confirmed by reports received from all quarters. Cid Mokri asked if it would not be possible for His Majesty's Government to make friendly representations on the subject at Madrid, for such action on the part of Spain could not but entail consequences of a most serious order.

In answer to my observation that categorical denials had already been given by Spain to the report that they contemplated occupying Tetuan, Cid Mokri stated that but little reliance could be placed on this in view of all the circumstances.

I have spoken to the French Minister, to whom Cid Mokri had made a similar communication. M. Regnault appears to share his Excellency's anxiety, at least to some extent.

Cid Mokri is not communicating with the representatives of any of the other Powers on the subject.

I have repeated this telegram to His Majesty's Ambassador at Madrid.

[32656]

No. 238.

Sir Edward Grey to Sir F. Bertie.

(No. 295.)
(Telegraphic.) P. *Foreign Office, September 8, 1910.*

SPAIN and Morocco. Tangier telegram No. 47.

Please enquire how the French Government regard the situation, and whether they would like us to make friendly representations to Spanish Government.

[32656]

No. 239.

Sir Edward Grey to Mr. White.

(No. 26.)
(Telegraphic.) P. *Foreign Office, September 8, 1910.*

SPAIN and Morocco. Your telegram No. 47.

We are consulting French Government as to the desirability of making representations at Madrid in the sense suggested.

[32860]

No. 240.

Sir F. Bertie to Sir Edward Grey.—(Received September 9.)

(No. 62.)
(Telegraphic.) P. *Paris, September 9, 1910.*

I SPOKE to M. Louis to-day as instructed by your telegram No. 295 of yesterday in regard to the attitude of Spain in Morocco as reported by His Majesty's representative at Tangier in his telegram No. 47 of the 7th instant. M. Louis said that the French Minister at Tangier had telegraphed much more fully on the subject, and the French Government feared that the Spanish Government might be contemplating a renewal at Tetuan of the proceedings which took place last year at Melilla. A second expedition of that nature would, M. Louis said, probably set everything ablaze, and the French Government would be very grateful if you would instruct His Majesty's representative at Madrid to make friendly representations to the Spanish Government. Such representations on the part of His Majesty's Government would be regarded as more disinterested than any which might be made by the French Ambassador, and they would consequently be more effective.

[32863]

No. 241.

Mr. White to Sir Edward Grey.—(Received September 9.)

(No. 48.)
(Telegraphic.) P. *Tangier, September 9, 1910.*

MY telegram No. 47 of the 7th September.

I received another call this morning from Cid Mokri. His Excellency informed me that a telegram from the Spanish Government had been communicated to him verbally by M Padilla, the Spanish chargé d'affaires, stating that it was obvious that the Makhzen were seeking to bring about a rupture with Spain: that this is proved by the unsatisfactory answers brought to Madrid from Fez by the Moorish envoy and also by the difficulties raised by the Makhzen in regard to claim for repayment of the expenses incurred by Spain for naval and military operations at Casa Blanca, as well as in regard to their demand for the grant to a Spanish company of a twenty-five years' telephone monopoly at Casa Blanca and Tangier. The message continued that all necessary measures will be adopted by the Spanish Government, who are determined to see that their demands, rights, and interests are properly respected, and are prepared to resort to the most effective means of attaining this object. Responsibility for any steps they may find themselves constrained to take will rest upon Cid Mokri himself and on the Makhzen.

In reply to this declaration, Cid-el-Mokri stated that the Makhzen had given no grounds for such a declaration, which he received with pained surprise. He was bound to safeguard the interests of Morocco, but at the same time he had always been and still was ready to discuss in a conciliatory spirit the pending questions. Cid-el-Mokri informed me that M. Padilla always contented himself with delivering verbal messages from the Spanish Government and requesting verbal replies, and would never enter upon any discussion. His Excellency has now sent the Sultan a full report of all his conversations with the Spanish chargé d'affaires, and has furnished the latter with a copy thereof.

Cid Mokri has heard from the Moorish envoy at Madrid that the Spanish Government insist on the acceptance of their demand for the payment of the expenses of the military operations around Melilla. They refuse to entertain the request for their submission to arbitration.

I have repeated this telegram to His Majesty's Ambassador at Zarauz, and I am forwarding a full report on the subject by next bag.

[32863]

No. 242.

Sir Edward Grey to Sir M. de Bunsen.

(No. 24.)
(Telegraphic.) P. *Foreign Office, September 10, 1910.*

SIR F. BERTIE'S telegram No. 62.

His Majesty's Government are seriously concerned at the reports which have reached them in regard to strained relations between Spain and Morocco, and at the rumour that the Spanish Government are considering forcible measures, such as an advance on Tetuan, in connection with the questions at issue.

His Majesty's Government understand from the information they have received from Tangier that the Moorish Government are disposed to act reasonably, and that it would not be impossible to attain a friendly solution of the difficulties by diplomatic means. They are ready to do everything in their power to further such a solution, and would be glad to instruct His Majesty's Minister at Tangier in this sense.

His Majesty's Government earnestly trust that no steps will be taken by the Spanish Government which might lead to a rupture between Spain and Morocco. A repetition of what occurred at Melilla would undoubtedly be followed by the most serious results in Morocco, and they feel bound to warn the Spanish Government of the grave consequences which might arise from any hasty action on their part.

I should be glad if you would communicate the sense of the above to the Spanish Government.

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[32982]

No. 243.

Mr. White to Sir Edward Grey.—(*Received September* 11.)

(No. 49.)
(Telegraphic.) P.

Tangier, September 11, 1910.

MY telegram No. 48 of the 9th September.

The Sultan has ordered Cid Mokri to proceed to Madrid with a letter from His Shereefian Majesty to the King of Spain, and to endeavour to negotiate an amicable settlement with the Spanish Government.

The Spanish chargé d'affaires, on being informed of this, begged Cid Mokri to keep it secret until he had learnt what his Government had to say on the subject, but his Excellency replied that several people already knew of it. M. Padilla himself seemed upset at the news and raised difficulties.

Cid Mokri said he trusted it might be possible to mention the subject at Madrid, as he is very anxious to be received by the Spanish Government.

I have sent a copy of the foregoing to His Majesty's Ambassador at Zarauz.

[33029]

No. 244.

Mr. White to Sir Edward Grey.—(*Received September* 12.)

(No. 188.)
Sir,

Tangier, September 4, 1910.

WITH reference to my despatch No. 184 of the 26th ultimo, I have the honour to report that Cid-el-Mokri is giving effect to his promise to take in hand at once the work of prison reform at Tangier. His son, the Basha, is personally visiting the prisons and enquiring into the cases of the prisoners. The names of all prisoners are entered in a register, together with other necessary particulars, and some fifty of them have already been released as having undergone sufficient punishment for their offences. The necessary orders have been given for cleansing the prison and for providing the prisoners with sufficient food, &c. Cid-el-Mokri tells me that his son will probably take another week to finish his inspection of the prisons and complete the register of the prisoners, but that as soon as this is done and the service is fully organised, he will instruct Dr. Fumey to commence his weekly inspections.

I have, &c.
HERBERT E. WHITE.

[33253]

No. 245.

Sir F. Bertie to Sir Edward Grey.—(*Received September* 12.)

(No. 65.)
(Telegraphic.) *En clair.*

[By Bag.]

Paris, September 12, 1910.

MOROCCO.

Your telegram No. 301 of 10th September.

I informed M. Louis of the instructions sent to His Majesty's representative at Madrid (see your telegram No. 24 of 10th September to Madrid).

His Excellency informs me that those instructions are in entire conformity with the views and wishes of the French Government, and he adds that M. Pichon is much obliged to you for having given such instructions to Sir M. de Bunsen, and for having communicated them to the French Government.

[33234]

No. 246.

Mr. Russell to Sir Edward Grey.—(*Received September* 12.)

(No. 34.)
(Telegraphic.) P.

Zarauz, September 12, 1910.

RELATIONS between Spain and Morocco.

Your telegram No. 24 of the 10th instant.

His Majesty's Ambassador being absent at Barcelona, I called upon the Minister for Foreign Affairs yesterday, and spoke to him in the sense of your instructions.

His Excellency declared that the Moorish Government persisted in returning wholly unacceptable answers to the proposals of Spain, making the conclusion of any agreement between them impossible. Relations were very strained, and the Spanish Government had solid ground for complaint. However, they had presented no ultimatum, and there was no question for the present of employing forcible measures, the matters at issue being still capable of solution by diplomatic means.

Señor Garcia Prieto accepted with gratitude your offer to instruct His Majesty's representative at Tangier to assist in bringing about a settlement. He had sent two days ago to the Spanish Ambassador in London a full account of the present relations between Spain and the Makhzen, instructing him to communicate it to you.

[31872]

No. 247.

Sir Edward Grey to Mr. White.

(No. 133.)
Sir,

Foreign Office, September 12, 1910.

IN your despatch No. 179 of the 25th ultimo you mention that Cid-el-Mokri intended to proceed in a short time to Paris to negotiate various matters still requiring settlement, amongst these being the raising of a further loan of some 800,000*l.* to be applied to the liquidation of the Makhzen debts, which the recent loan was not sufficient to cover, to the harbour works at Tangier, and other pressing requirements. You further inform me in your despatch No. 180 of certain declarations made by Cid-el-Mokri with regard to these harbour works and those at Casablanca, to telegraphic and telephonic communication with the coast towns, to electric lighting, and to a railway from Tangier to Alcazar with eventual extension to Fez.

Cid-el-Mokri stated that he had been approached by the Syndicat international des Travaux publics with regard to the provision of the necessary funds for certain of these works, but that the company had not made any definite offer.

Before the arrival of your despatches Mr. Langley had received from Mr. Norton, who is a director of the Société marocaine des Travaux publics, which I think must be identical with above-mentioned company, a letter a copy of which I enclose,* and on which I should be glad if you would furnish me with your observations.

You will notice from the letter of the president of the company to the French Minister for Foreign Affairs that the company request the grant of various concessions in Morocco to the value of 60,000,000 fr., and that they propose to find their capital sum by the issue of shares, only asking the Moorish Government for a guarantee for the interest, an arrangement also being made that the Moorish Government need not pay any deficit resulting from the guarantee before the expiration of ten years.

In spite of the arguments produced by the company to the contrary, I am of opinion that the scheme, as explained in these letters, constitutes a distinct breach of the provisions of the Algeciras Act.

The view, however, taken by the directors of the company is that, if some scheme of this kind is not sanctioned, progress will be barred in Morocco for want of funds, and that, if no public works are sanctioned, no one will benefit, while Morocco will suffer from lack of development.

I should be specially glad to receive your observations on this point, as it appears to me that the considerations urged by the company have considerable force.

Before, however, giving my support to any such scheme, I should require to be satisfied that English capital was represented in due and proper proportion in the scheme, and the present allotment of the capital of the Société marocaine des Travaux publics does not fulfil this condition.

I am informing Mr. Norton that the matter has, in the first instance, been referred to you for a report, and I am also communicating copies of Mr. Norton's letter and of this despatch to the Board of Trade.

I am, &c.
E. GREY.

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* No. 230.

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[32982] No. 248.

Sir Edward Grey to Sir M. de Bunsen.

(No. 25.)
(Telegraphic.) P. *Foreign Office, September* 13, 1910.

TANGIER telegram No. 49. Proposed mission of El Mokri to Madrid.

Provided you see no objection, please approach the Spanish Government in the sense desired by El Mokri.

[33463] No. 249.

Mr. Russell to Sir Edward Grey.—(Received September 14.)

(No. 35.)
(Telegraphic.) P. *Zarauz, September* 14, 1910.

SPAIN and Morocco. Your telegram No. 25 of yesterday.

In course of conversation with the French chargé d'affaires, Spanish Foreign Minister mentioned yesterday the proposed visit of El Mokri to Madrid, and stated that he welcomed the idea, provided Mokri came in a spirit of conciliation. Señor Garcia Prieto hoped the British and French Governments would bring influence to bear to ensure this being the case.

Minister for Foreign Affairs has left San Sebastian to attend a Cabinet Council at Madrid.

[32015] No. 250.

Sir Edward Grey to Mr. White.

(No. 134.)
Sir, *Foreign Office, September* 14, 1910.

I HAVE received your despatch No. 184 of the 28th ultimo relative to the measures which El Mokri proposes to take to remedy the condition of the prisons in Morocco, and I have to express my gratification at the prospect of a reform in this direction.

I should be glad to receive in about six months' time a further report on the subject in a form suitable for communication to the Howard Association, should this course be considered desirable.

I am, &c.
E. GREY.

[33569] No. 251.

Mr. White to Sir Edward Grey.—(Received September 15.)

(No. 190. Confidential.)
Sir, *Tangier, September* 7, 1910.

I HAVE the honour to report that Cid-el-Mokri called upon me this morning, and informed me that the Makhzen were very uneasy as regards the intentions of the Spanish Government. From all sides they received reports tending to confirm the belief that Spain was preparing for an advance on Tetuan as well as for the occupation of Apes' Hill. Such action on their part would undoubtedly bring about the most serious consequences, which would injuriously affect the interests of all countries, besides being disastrous to Morocco. His Excellency hoped, therefore, that His Majesty's Government, who had always evinced an interest in this country, would make friendly representations to the Spanish Government, with a view to preventing any action of the nature indicated being taken.

I observed that I had lately seen in the press certain articles attributing to the Spanish Government the design to occupy Tetuan, but I had also seen that the Spanish Government had categorically contradicted this report, and had taken proceedings against the editor of a Spanish journal for giving currency to it.

I recalled the fact that similar reports were current about a year ago, and were contradicted by the Spanish Government, which had given assurances that they had no intention of occupying Tetuan. Events had so far shown that these assurances were given in good faith, and I trusted that it would be the same in the present case. I asked Cid-el-Mokri whether any enquiries had been made, either by the Moorish Envoy at Madrid or by himself here, in regard to these reports. His Excellency replied that he had spoken on the subject to the Spanish chargé d'affaires, who had said that there was no intention of occupying Tetuan.

I observed that it appeared to me difficult, in the face of these repeated categorical declarations, to believe that Spain really harboured the designs imputed to her.

Cid-el-Mokri said he would like to think so, but unfortunately the evidence on all sides was too strong for them to rest satisfied with the assurances given, which, moreover, were not clear in regard to the occupation of Apes' Hill. If no military operations were in contemplation, how was it possible to account for the large bodies of troops that had been poured into Ceuta, and were still being sent there, together with field batteries, tents, and camping equipment—in fact, all the material for an expedition? They could not be required merely for the garrison of Ceuta; moreover, the officers themselves talk openly of their approaching march on Tetuan. For some time past Spanish officers, in the guise of tourists, had been studying and mapping the country between Ceuta and Tetuan, as well as the town itself, batteries, &c. A member of the Government, in speaking to a journalist of the Sultan's replies brought by the Moorish Envoy, had said they were unsatisfactory, and that Spain would have to compel acceptance of their demands by the use of force. His Excellency felt convinced that the Spanish Government desired to copy French action at Casa Blanca, and that as soon as they had completed their arrangements they would create some incident which would serve as an excuse for the occupation of Tetuan. He therefore begged me to report the foregoing to you, in the hope that friendly representations would be made at Madrid.

I replied that I would not fail to report our conversation at once, and I assured his Excellency that His Majesty's Government had always taken a great interest in the welfare of this country, and were anxious that good relations should exist between it and Spain, with which country also we maintained most friendly relations. I added that, in view of the fears his Excellency had expressed, I presumed the Makhzen would take steps to restrain the Anghera tribe from any hostile demonstration which might necessitate action on the part of Spain.

I enquired of Cid-el-Mokri whether he was making representations on this subject at the other legations. He replied that he had already spoken to the French Minister, but did not propose to mention the matter to any of the other representatives. He therefore desired me to regard our conversation as confidential.

I have since seen the French Minister, who communicated to me the substance of the language held to him by Cid-el-Mokri, which was much the same as reported above, except that his Excellency appears to have enlarged rather more on the dangers that would ensue from any forward move by Spain from Ceuta, saying that there would certainly be fighting on a large scale, that people throughout the country would probably become much excited, and the Sultan might find himself forced to send his troops to oppose the Spanish advance. His Excellency hinted at the possibility of the proclamation of a holy war.

I repeated to M. Regnault the language I had held to Cid-el-Mokri, and informed him that I was telegraphing to you on the subject. M. Regnault appeared to be somewhat worried over the whole question, and seemed unconvinced by the Spanish assurances. He observed that Cid-el-Mokri had told him that the language held by the Spanish chargé d'affaires had not been very precise, and that the Spanish Government had never clearly declared they would take no action in the direction of Apes' Hill. He informed me that M. Gentil, a professor of the Sorbonne, who has made several scientific expeditions in Morocco, had just returned from Ceuta, and had told him that a member of the governor's staff at that place had mentioned in conversation that they would shortly be marching on Tetuan.

Whether justified or not, the belief that military action in Morocco is imminent appears to exist in the Spanish army, if one is to judge from language held by the officers. Some politicians and certain sections of the press of the Peninsula encourage this belief by the publication of articles such as that of which the Spanish Government lately took notice, and one, the translation of an extract from which I

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beg leave to enclose herewith.* Though, as I stated to Cid-el-Mokri, it is difficult to believe that, notwithstanding the assurances given, Spain contemplates military action in the neighbourhood of Ceuta, one cannot shut one's eyes to the extraordinary increase of the Ceuta garrison. The French chargé d'affaires informed me a short time ago that there were 16,000 Spanish troops at that place—that is more than the French had in Showia and Ujdah and in Southern Algeria combined.

Should Spain for any cause consider it necessary to take any action of the nature feared by Cid-el-Mokri, the fighting that would ensue might render the situation of Europeans in Tangier somewhat critical, and it might even be necessary to consider the necessity of landing troops to protect them and their property. A delicate question would then arise, for Spain would be most unwilling to see French troops here, whereas the presence of Spanish troops would merely extend the fighting to Tangier.

I have, &c.

HERBERT E. WHITE.

[32009]

No. 252.

Sir Edward Grey to Mr. White.

(No. 136.)

Sir, *Foreign Office, September* 15, 1910.

I HAVE received your despatch No. 178 of the 27th ultimo, relative to the steps to be taken to prevent the occurrence in the future of cruelties such as those practised on the family of Ben Aissa.

I agree with your view that the best means of gaining the desired end will be to work privately with the French Minister and with El Mokri, and that it would be inadvisable at present to lay the matter before the diplomatic body. This latter course could be kept as a last resource, should other means prove unavailing.

I shall be glad to hear in due course the result of the steps which El Mokri proposes to take to secure the release of the members of Ben Aissa's family, and to obtain the proper trial of accused persons in future.

I am, &c.

E. GREY.

[33688]

No. 253.

Mr. White to Sir Edward Grey.—(*Received September* 16.)

(No. 51.)

(Telegraphic.) P. *Tangier, September* 16, 1910.

KAÏD MACLEAN'S claims. Your telegram No. 29 of the 10th September last.

Loan claim has already been passed by the commission, and I have hopes of being able to arrive at a compromise in regard to the others.

It is consequently unnecessary for the present for the Kaïd to come out to Tangier.

[33693]

No. 254.

Mr. White to Sir Edward Grey.—(*Received September* 17.)

(No. 191. Confidential.)

Sir, *Tangier, September* 9, 1910.

WITH reference to my despatch No. 190, Confidential, of the 7th instant, I have the honour to report that Cid-el-Mokri came to see me again this morning, and said that after leaving me the day before yesterday he received a visit from the Spanish chargé d'affaires, who delivered to him a message of a threatening nature from his Government. In order, however, to enable me to fully understand the position it was necessary to recapitulate briefly the previous negotiations on the points in dispute.

1. The Spanish Minister had demanded that the Makhzen should grant to the

* Not printed.

Spanish company who had established telephone services at Tangier and Casa Blanca a monopoly for telephones in these two places for a term of twenty-five years. To this the Makhzen objected; they desired to expropriate the Spanish company by taking over their plant and paying them an indemnity, and to establish a Government telephone service at all the ports. They offered as a concession to Spanish susceptibilities to enter into an engagement not to put the service up to tender, nor to grant to any person or company of other nationality any concession or contract for telephones. They were willing, in order to facilitate a settlement of the question, to allow the Spanish company to continue its service for five or even seven years longer, on similar terms to those agreed upon in the case of the Spanish electric light company, the Makhzen reserving the right of establishing a Government service alongside that of the Spanish company.

2. Claim for repayment of the naval and military expenses incurred at Casa Blanca. When at Fez last year M. Merry del Val had presented a claim for 500,000 pesetas for the expenses incurred in 1907 and 800,000 pesetas for those in 1908; no settlement was, however, arrived at. When Cid-el-Mokri returned from Paris M. Merry del Val reverted to the question, and said that, as the Makhzen had admitted a claim for the expenses incurred by France in Showia in 1909, Spain demanded that her expenses, amounting to 96,000 pesetas, should also be paid. Two days later, some difficulties having in the meantime arisen in the discussion of other matters, M. Merry del Val again saw Cid-el-Mokri, and said that he had told him that their claim for their military expenses at Casa Blanca in 1909 was for 96,000 pesetas, but that he had now received telegraphic instructions from his Government to present a claim for 4,200,000 pesetas on that account. (Cid-el-Mokri did not remember the exact figure, but it was approximately 4,200,000 pesetas.) Cid-el-Mokri expressed surprise at this sudden augmentation of the claim, and asked for explanations how this very large sum had been arrived at. M. Merry del Val said that he had no explanation to give, but that the sum now claimed was proportionate to the 17,000,000 fr. which the Makhzen had agreed to pay France for their 1909 expenses. Cid-el-Mokri replied that the French Government had made no such demand; they had not, in fact, yet stated any amount. He had no authority to agree to so large a sum, and he requested that the claim be presented in writing. This was done; M. Merry del Val, in his letter claiming payment of this sum, demanded that the Spanish Government be paid on a scale proportionate to the French.

At this stage of the negotiations Cid-el-Mokri left for Fez. On his return to Tangier the Spanish chargé d'affaires called upon him and inquired whether he had instructions in regard to the two above-mentioned matters.

His Excellency replied that he had received the Sultan's instructions and was prepared to further discuss both questions. With regard to the telephone company the Makhzen could not go beyond the terms already offered. With regard to the Spanish military and naval expenses at Casa Blanca the Sultan accepted the Spanish claim as first put forward, and was willing to pay 500,000 pesetas for 1907, 800,000 pesetas for 1908, and 96,000 pesetas for 1909. M. Padilla returned the following day and said his Government wished to know what reduction on the 4,200,000 pesetas the Makhzen desired so as to enable a settlement to be arrived at. Cid-el-Mokri maintained the offer to pay the sum originally demanded, and said he would address a letter to M. Padilla to that effect, and would point out in it that a comparison could not properly be made between the military expenses of France and those of Spain in Casa Blanca and Showia.

M. Padilla requested his Excellency not to refer in his letter to the comparison with France, but to confine himself to stating what reduction in the claim the Makhzen asked for, as, in view of their friendship for the Makhzen, the Spanish Government were willing to make a reduction in their claim.

On the following day, the 7th instant, M. Padilla went to see Cid-el-Mokri again, and, reading from a note he held, said he had a serious declaration to communicate to his Excellency. The Spanish Government in no way accepted either the expropriation of the telephone company or the seven years delay offered them, and, if the Makhzen maintained their views on the question, the Spanish Government would withdraw their offer that the Makhzen should receive a proportion of the profits; they would further demand a very large indemnity for the company in regard to Mazagan. (where they had lately desired to establish a service, but had not been permitted to do so). The telephone service would continue to work as heretofore, and, if the Makhzen took any steps whatever against the company, the Spanish Government would consider that they had made an attack on the interests and rights of Spain. The

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Spanish Government desired him to clearly understand that they concluded that the Makhzen, by the difficulties raised both in the matter of the telephone service and in regar to the claim for naval and military expenses incurred at Casa Blanca, as well as by the unfavourable replies brought back from Fez by the Spanish envoy, sought a rupture with the Spanish Government. As to the financial question of the military expenses at Casa Blanca the Spanish Government meant to be treated in the same manner as the French, for otherwise a blow would be dealt at the prestige of Spain and respect due to her. The Spanish Government were determined to adopt all measures, and even to resort to the most effective means to compel the Makhzen to respect Spanish interests, rights and demands. It held both the Makhzen and Cid-el-Mokri, personally responsible for all the measures it might be constrained to adopt.

The above is an exact translation of the terms of the declaration as communicated to me verbally by Cid-el-Mokri.

His Excellency observed to M. Padilla that he was painfully surprised at the declaration he had made, for which no cause had been given by the Makhzen. They had never sought any rupture: on the contrary, the Makhzen, and he himself as Vizier for Foreign Affairs, had done all in their power to facilitate a settlement of these questions, whilst, at the same time, safeguarding the interests of their country. His Excellency pointed out that it had been impossible to enter into any discussion with him (M. Padilla), as he invariably confined himself to reading a message from his Government and asking for a verbal reply. His Excellency was now, as always, prepared, as Minister for Foreign Affairs, to negotiate at once with him in a conciliatory spirit in regard to the telephone and other questions, and to settle what he could, referring to the Sultan points he was not authorised to decide on.

Cid-el-Mokri at the time of this interview received despatches from the Moorish envoy at Madrid, who reported that upon his arrival, the Minister for Foreign Affairs being absent, he had seen the President of the Council, who said the Government would examine the replies he had brought from Fez. On the 4th September, he had a meeting with the Minister for Foreign Affairs, who told him that the replies had not yet been thoroughly examined, but that he could tell him at once that they were altogether unacceptable; that the Spanish Government would insist on the payment of their claim for military expenses in the Riff, ahd would not consent to arbitration in regard to it. He said that, when the replies of the Makhzen had been examined, he would send him a note containing the last word of his Government. He observed, in conclusion, that the Moorish mission had made a very long stay at Madrid, and was putting the Spanish Government to great expense.

Cid-el-Mokri said that the position appeared to him very critical, and the manner of conducting the negotiations here had been very unsatisfactory. The Spanish Legation would put nothing in writing, but always made their declarations verbally. Sometimes they sought to deny the language they had previously held. On one occasion M. Merry del Val denied that he had held certain language at a previous meeting and a discussion ensued. The Spanish secretary, however, told his Minister that the words in dispute appear in the *procès-verbal* drawn up at the Spanish Legation —that secretary had not since been brought with him by the Minister. In order that there should be no misunderstanding in the present case Cid-el-Mokri had now addressed a letter to M. Padilla saying that, in order to keep the Sultan fully informed of the state of the negotiations, he had made a report to His Majesty in which he had related all that had passed at their various interviews. He thought it necessary to acquaint him with the substance of this report, which was as follows: He was glad to be able to communicate to the Sultan the formal assurances given by M. Padilla that the Spanish troops would take no action at Ceuta, and that the Spanish Government had never contemplated any such action; he was certain His Majesty would be glad to receive these assurances and the *démentis* published in the press, as a clear demonstration of the good relations existing between the two countries. Then, after referring to the agreement regarding the Spanish electric light company, which had been come to between himself and M. Merry del Val, and which had been submitted to the corps diplomatique for their approval, he proceeded to give a full report of all the interviews mentioned above, and concluded by saying that he had been awaiting the reply of the Spanish Government in order to continue the negotiations; that he had therefore been painfully surprised at the declaration made by M. Padilla at their last interview, especially as the Makhzen was most desirous of arriving at an understanding with Spain; the declaration had evidently been caused by some misunderstanding, which would certainly be dissipated, and he felt convinced that, in view of the friendly sentiments which animated the Makhzen, a settlement would be arrived at.

Cid-el-Mokri, after communicating the foregoing to me, begged that I would bring it to your knowledge, and again expressed the hope that His Majesty's Government would see their way to making friendly representations at Madrid. He said it was impossible for the Makhzen to pay the enormous sum the Spanish Government would undoubtedly demand for their military operations in the Riff—they had not got the money and could not possibly raise it, and they cannot consent to a further portion of Moorish territory being sliced off for the benefit of Spain. The claim was altogether unjustified and should be submitted to arbitration. All the trouble in the Riff had been provoked by the Spaniards, and neither the Sultan nor his Government were responsible for them. They had begged that the working of the mines should be postponed until the question had been settled, and the Spaniards themselves were alone to blame for what had occurred.

I told Cid-el-Mokri that I would not fail to make a full report of all he had told me, and to forward it to you by first opportunity. Before leaving, Cid-el-Mokri said he desired that His Majesty's Government should be fully informed regarding the negotiations at Madrid, and that he would therefore send to me, in the strictest confidence, copies of the Spanish demands and the Makhzen's replies thereto. I beg leave to transmit herewith a translation of these documents.

I have again spoken to M. Regnault on the subject. He said that the Spanish Government had hitherto copied their action step for step; he therefore expected that they would now deliver an ultimatum, as the French had done when an unsatisfactory reply had been brought from Fez during the Mokri Mission at Paris.

I have, &c.

HERBERT E. WHITE.

Enclosure in No. 254.

Papers communicated confidentially to Mr. White by Cid-el-Mokri.

(1.)

Spanish Proposals.

(Translation.)

Copy of an Agreement brought from the Spanish Government by the Shereefian Envoy Cid Hamed-ben-Muaz.

Praise to God alone!

HIS Excellency the Minister for Foreign Affairs of His Majesty the King of Spain, and his Excellency the Envoy of His Shereefian Majesty, each holding powers from their Governments, have agreed upon the following articles in order to put an end to the difficulties arising in the districts adjoining the Spanish fortresses, and to facilitate and confirm the fulfilment of the treaties of peace and tranquillity and the development of those regions.

ARTICLE 1.

The Makhzen shall be represented in the Riff by an important kaïd, whose orders shall be obeyed by all the Kabyles in that region.

ARTICLE 2.

The Spanish Government shall, as a neighbour, assist the Shereefian Makhzen by every means in its power to give effect to the intention of article 1, and for this purpose the Spanish troops shall afford the said important kaïd and all other kaïds under him such assistance as they may require, and if any attack is made by the Kabyles on the fortresses or Spanish troops, any action taken by those troops to repel the attacks, to arrest and punish the perpetrators, shall not be considered as hostile to the Shereefian Makhzen.

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ARTICLE 3.

The important kaïd specified in article 1, and also other kaïds under his authority, especially his representatives at Ras-el-Ma (Cabo de Agua), named in Arabic Ras Nekhabdan and on the coast at Nekur (Alhucemas) and Badis (Peñon de Gomera) and also those appointed to the regions of Ceuta, shall be appointed by the Shereefian Government after agreement with the Spanish Government. The local officials appointed by these kaïds in their districts shall also be appointed after agreement with the governor of the neighbouring Spanish fortress.

ARTICLE 4.

In accordance with the agreement of the 16th April, 1860, the Makhzen shall use its efforts to the end that its subjects shall respect the territories under the authority of His Majesty the King of Spain. The officials mentioned in article 3 shall take the necessary precautions to ensure tranquillity and freedom of passage in the region and of commerce, and to improve neighbourly relations with the Spanish fortresses. In conformity therewith, and as in the case of the fortress of Melilla in the agreement drawn up in 1895, the repartition of Moorish forces placed by His Shereefian Majesty in the regions of the Spanish fortresses shall be as regards numbers and description as follows:—

Melilla—the number of troops stated in article 3 of the agreement of 1895—*i.e.*, 400 men and, in order to extend their duties as police to Seluan and Mar Chica, a further number of 400 shall be added to them.

Nekur (Alhucemas) and Badis (Peñon de Gomera) and Ras-el-Ma (Cabo de Agua) 200 in each. The lines at Ceuta 400 men.

These troops shall be under the authority of the important kaïds and the special kaïds of the lines. Their officers, sergeants and non-commissioned officers shall be Spaniards appointed by His Shereefian Majesty on submission of their names by the Spanish Government. [The kaïds are] entrusted with the drill, maintenance of order, and supervision of the troops, whether they have sufficient competence for the performance of military duties or not, and the organisation of the troops and the distribution of their pay through the intermediary [of the Spanish officers] and they shall have supreme command over them. The budget for this organisation shall be drawn up by the important kaïd in the Riff and the Spanish officer of highest grade. If His Shereefian Majesty decides to place troops in any other portion of the Riff their drill and organisation shall be carried out under the above conditions by Spanish officers and sergeants only.

ARTICLE 5.

His Shereefian Majesty shall institute a custom-house on the Ceuta lines, and as stipulated in article 1 of the agreement of the 31st July, 1866 the custom-house of Melilla shall also be reopened. The sites on which the two custom-houses shall be placed shall be decided by the administrators of the two custom-houses in agreement with the commander of the Spanish fortress. The customs duties shall be exactly similar to those at the custom-houses at the ports and inland in Morocco—without addition or reduction.

ARTICLE 6.

The revenues from the Melilla and the Ceuta customs-houses, with the exception of the sum to be expended as stated in the last paragraph of article 66 of the Act of Algeciras, shall be applied in the first place to defraying the cost of organising and maintaining the police mentioned in article 4 of this agreement, and on similar objects, and to pay for their uniforms and arms, &c. The Spanish Government in signing this agreement may advance, as a loan to His Shereefian Majesty, 1,500,000 Spanish pesetas, bearing interest at the rate of 4 per cent. per annum, the repayments of this loan shall be divided over fifteen years, *i.e.*, 100,000 pesetas per annum, and Spain shall receive payment of this amount from the revenue of the said two customs-houses.

ARTICLE 7.

The Spanish Government shall furnish three trained Spanish custom-house officials, one for the custom-house at Ceuta, and two for the custom-house at Melilla, to assist the administrators of those two custom-houses in estimating and collecting the duties,

&c., on goods, and in keeping the accounts of custom-house revenues. They shall exercise the fullest supervision in accordance with chapter 5 of the Act of Algeciras. The appointment of the administrators and of the Spanish officials of the two custom-houses shall be made by His Shereefian Majesty in agreement with the Spanish Government—they shall receive their salaries from the revenues of the said two custom-houses.

ARTICLE 8.

To develop the prosperity of the country, and, lest the revenues stated in article 6 should be insufficient, the shereefian officials shall agree to open markets and collect such dues as His Shereefian Majesty may graciously consent to establish in accordance with custom. As regards any other dues which His Shereefian Majesty may exact from the districts mentioned in this agreement, or other similar taxes His Shereefian Majesty may impose on them, and also the revenues or other similar payment His Majesty may receive from them, shall be also employed for purposes of development, more especially on the organisation and maintenance of the police mentioned in article 4 and the obligations mentioned in article 10.

ARTICLE 9.

His Shereefian Majesty agrees to make a road from Ceuta to Tetuan; to build a lighthouse at Cape Quilates, in the Riff; and the Spanish Government shall receive their expenses for building the lighthouse at Ras Wark (Cap Très Forcas), beyond R'ml, the whole to be recovered from the custom-houses of Ceuta and Melilla, in conformity with the last paragraph of article 66 of the Act of Algeciras.

ARTICLE 10.

His Shereefian Majesty shall pay to the Spanish Government the extraordinary expenses of sending the troops to Melilla in connection with the late occurrences and of the occupation occasioned by those events, the mode of payment to be agreed upon between the Spanish Minister and the commissioner of His Shereefian Majesty at Tangier.

ARTICLE 11.

The positions occupied by the Spanish troops shall be evacuated, and each position, on its evacuation, shall be occupied by a force of regular police and officials in the manner stated in article 4. This shall be done after their organisation and their entry upon their duties, as indicated in article 4, and when peace, tranquillity, and freedom of trade are established, and the two custom-houses of Ceuta and Melilla are opened, in accordance with articles 5 and 7, and after the Shereefian Government has paid the compensation demanded by the Spanish Government and the other indemnities mentioned in article 10. Under all circumstances the Spanish troops shall remain at Ras-el-Ma, Seluan, and the other positions at present occupied by them for a period of not less than four years, counting from the date of the signing of this agreement. The maximum number of these troops shall not exceed four times the number of the police indicated in article 4.

ARTICLE 12.

The object of these stipulations is only to further explain and give effect to previous treaties which will not be effected thereby. His Shereefian Majesty recognises that the prohibition contained in article 6 of the agreement of the 31st July, 1866, is abrogated by the concession granted to other Powers, and the Spanish Government enjoy on a footing of the fullest equality the economical freedom granted in the Act of Algeciras. His Shereefian Majesty confirms also in conformity with article 6 of the treaty of the 24th August, 1859, and article 6 of the agreement of the 11th July, 1891, the permission to export foodstuffs and cattle, live and dead, and fruit and vegetables duty free from Moorish ports to the Spanish fortresses.

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(2.)

Shereefian Reply to the Note received from the Spanish Government by the Envoy Cid Hamed-ben-Muaz.

ARTICLE 1.

The Shereefian Government will appoint an important kaïd on its part to reside at one of the positions occupied in the Riff, which will be agreed upon by the said kaïd and the commander of the force of occupation in Melilla.

ARTICLE 2.

When the said kaïd reaches his post he will discuss with the chief of the troops of occupation the organisation of a Makhzen force composed of Moors and subjects of the Makhzen with Moorish officials (also subjects of the Makhzan) to be established upon the conditions of the regulations of the police at the ports as regards drill, discipline, pay, and salaries. This force shall have Spanish officers and sergeants, whose number shall be in proportion to the officers of the police.

As also this force shall be under the command of the said Mahkzen Kaïd and Moorish officials only. As regards the expenditure, it shall be defrayed out of the duties of the custom-houses in the manner explained in article 6 of this agreement.

Until the said force is organised the troops of occupation shall continue responsible for the protection of the positions they now occupy, but when there is a Mahkzen force the soldiers of the Spanish Government shall evacuate the positions they occupy and shall return to their original position in Melilla, and the Makhzen force will undertake the protection of those positions and the pacification of those Kabyles under the responsibility of the Shereefian Government.

ARTICLE 3.

The appointment of the important kaïd indicated in article 1 shall be made by the Makhzen and notified to the Spanish Government, and the appointment of the other kaïds under his authority for the positions occupied shall be made by the important kaïd in agreement with the chief of the troops of occupation at Melilla; they shall be chosen from His Shereefian Majesty's subjects and from persons of good antecedents, but such agreement shall be during the time of occupation only; when the troops of occupation evacuate the posts occupied in the manner indicated in article 2, the appointment of the kaïds under the authority of the important kaïd shall be in the hands of the Makhzen exclusively. As regards the appointment of the kaïd of the Ceuta lines it shall be made by the Makhzen without any intervention in accordance with the treaties existing between the two nations.

ARTICLE 4.

The Shereefian Makhzen will respect all treaties drawn up between it and the Spanish Government in the past, amongst them the treaty of the 11th April, 1860, and will issue its instructions to its officers to respect all territories belonging to the Spanish Government recognised by treaty. Those officers will also take the necessary precautions to pacify the Kabyles, ensure security and improve the relations between the Kabyles and the Spanish fortresses; as regards the fixing of the numbers of the police force to be organised in the occupied Riff districts, it shall be 1,200, *i.e.*, 1,000 infantry and 2,000 cavalry, all Moorish subjects except the instructors who will be Spanish as mentioned in article 2 above, and when a portion of this organised force is ready it shall proceed to establish itself in one of the occupied positions, and the troops of the occupation shall withdraw from Melilla and so on until the organisation of the whole force agreed upon is complete, and the Spanish troops shall withdraw completely from all the posts occupied in the Riff. The distribution of the police force between the posts occupied in the Riff shall be decided by the important kaïd in agreement with the chief of the troops of occupation at Melilla, with the exception of the two posts of Badis and Alhucemas where the number of the military police shall be as stipulated in the old treaties. They shall be taken from the total number above mentioned.

The appointment of the Spanish instructors shall be made by the Spanish Government in the manner customary as regards the police of the ports.

When the organisation of the Makhzen force referred to in article 2 with the assistance of the Spanish instructors is completed, and when matters are satisfactory at the posts they will occupy in the manner stated above, the Spanish Government shall then recall their instructors and the Makhzen and its officers will have sole charge of maintaining security.

As also the drawing up of the budget of the said Makhzen force shall be done by the important kaïd and the chief of the instructors in the same manner as the the budget of the police, so long as the occupation lasts. It shall be notified to the Shereefian Minister of Finance and the necessary payments be made from the State bank. All those of the Moorish Kabyles in those parts who revolt shall be punished by the Makhzen, who may send its forces for that purpose and others without any restriction being imposed upon it is this respect.

As regards the Ceuta boundary, the procedure there shall be as laid down in the treaties, and the Makhzen is prepared to undertake all its obligations, such as surveillance, placing of guards, and respect for treaty stipulations; and, moreover, the Makhzen will maintain peace and tranquillity in those districts.

ARTICLE 5.

The Shereefian Makhzen agree to reopen the Melilla custom-house in conformity with the stipulations previously agreed upon between the two nations, as also that the payment of duties thereat shall be in conformity with its former regulations thereon. As regards the establishment of a custom-house at the Ceuta lines—there is no necessity for it, nor would the Makhzen derive any benefit from it; the two custom-houses of Tetuan and Tangier are sufficient for that region.

ARTICLE 6.

The revenues from the custom-house in Melilla shall be paid from the moment of its reopening into the State bank through the important kaïd after deduction of the expenses of its administration and of the administration of the important kaïd and his officials, and be entered into a special account to meet the cost of the Makhzen police force and its officers. The reopening of the said custom-house shall take place immediately on the signature of this agreement, and as the Spanish Government requested to advance as a loan to the Shereefian Government 1,000,000 Spanish pesetas with which to commence the organisation of a Makhzen police force, immediately on the signature of this agreement, repayment to be divided over ten years. The Makhzen agrees to this after submitting the conditions of this advance to the State bank in accordance with the right of preference accorded to it in the text of the Act of Algeciras; and on the conclusion of this advance the amount, *i.e.*, 1,000,000 Spanish pesetas, will be entered at the State bank in the special account referred to. The whole of the 1,000,000 pesetas and the revenue of the custom-house after its reopening shall be destined for the payment of the expenses of the force and its officers in conformity with the budget which will be established. The 100,000 pesetas, which is the yearly instalment of the 1,000,000 pesetas advanced with the interest thereon, will be drawn therefrom at the commencement of each year, the balance will be at the absolute disposal of the Makhzen; the interest on this 1,000,000 advanced to be at the rate of 3 per cent. per annum only.

The administration of the custom-house shall be Moorish, and its administrators and all its officials shall be Moors, subjects of the Makhzen, and their appointment shall be in its hands. There is no necessity to add the 2½ per cent. additional duty indicated in article 66 of the Act of Algeciras, as the custom-house at Melilla is an interior land custom-house and on a special footing.

ARTICLE 7.

The salaries of the administration of the custom-house shall be taken from the original receipts, and the administrators shall send to the Shereefian Minister of Finance an account of its revenues and expenditure every month.

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ARTICLE 8.

The levying of taxes, tithes, and duties at the positions now under occupation pending the establishment of the "tertib" shall be in the hands of administrators appointed by the Shereefian Makhzen. The sums collected by the said administrators shall be sent by them to the State bank to be placed in a special account, and they shall notify the Shereefian Minister of Finance thereof.

ARTICLE 9.

The making of the road from Ceute to Tetuan is a matter affecting the "Caisse spéciale," and this request should be submitted to the members of the commission of the "caisse," as also the question of the construction of lighthouses on the coast.

ARTICLE 10.

The Makhzen consider that there are no grounds for the Spanish Government to demand payment by it of the military expenses arising from the occupation of certain posts in the Riff, especially as that occupation was made without just cause. When the Spanish Government sent last year its respected Minister, M. Merry del Val, to renew the bonds of amity between the two Governments, and His Shereefian Majesty spoke with him on questions connected with his mission, and amongst them question of mines in the Riff, discussions passed between them on the subject of the mines, and as no agreement was come to between them, His Shereefian Majesty requested that this matter be suspended, and appointed an envoy to proceed to the Spanish capital to convey his thanks and to renew the amicable bonds between the two Governments, and encharged him to conclude the discussions with the friendly Government on all the pending questions, amongst these the question of the mines. Unfortunately, while the Embassy was on its way to fulfil its mission, some workmen went out to the Riff mines, and brought about what occurred, notwithstanding that a promise had been given to the Makhzen that no one would go out to the mines, which had been taken possession of contrary to the stipulations of the Act of the conference of Algeciras, until that matter should be cleared up between the Moorish Mission and Spanish Government at Madrid, and notwithstanding the protest made by the Shereefian Makhzen to the respected corps diplomatique at Tangier rejecting responsibility for military expenses; moreover, the former Makhzen had made a protest to the lamented Minister, M. Llaberia, when he was at Rabat, against any Spanish subject going out to the Riff mines, and rejecting all responsibility for any incident that might occur arising from such going out; if just regard is given to these considerations it will be seen that there is no responsibility on the Shereefian Makhzen for military expenses, and the Shereefian Government is sure that the friendly Spanish Government would not desire to impose on it that which would be injurious to its country and finances, and the debilitated state of the Shereefian finances is well known; all the visible revenues at the ports are mortgaged for loans to pay debts of foreigners due by the former Makhzen. Relying on the known sense of equity of the friendly Spanish Government and its desire to assist, the Makhzen requests they will withdraw the military expenses from their claims, and not compel the Shereefian Makhzen to appeal to arbitration on the question, which to its great regret it would be compelled to do.

ARTICLE 11.

The troops of occupation shall evacuate the posts occupied in the Riff in the following manner: when a portion of the Makhzen police force, the organisation of which is referred to in article 2, is ready, it shall be sent to take over one of the posts under occupation, and the Spanish troops there shall evacuate it and go into Melilla, and this procedure will be followed as regards all the other posts under occupation until the complete withdrawal from all the posts be carried out as mentioned in article 4 of this agreement; the withdrawal shall commence from the post most distant from Melilla, and so on until the final withdrawal from the nearest post.

ARTICLE 12.

The treaties and agreements entered into previously between the Moorish Government and the friendly Spanish Government shall remain respected, without modification or alteration either in whole or in part; and as the Act of Algeciras stipulates that treaties and agreements drawn up between the Maghrebin Empire and the Powers signatory to that Act shall be confirmed and respected, there is no cause to annul the stipulations of article 6 of the agreement of the 31st July, 1866.

As regards the shipment of food-stuffs, fruit and vegetables, live-stock and meat from Morocco to the Spanish fortresses recognised by treaty, it shall be permitted on payment of the customs dues and the drawing up of a regulation as to the quantities which shall be permitted to be shipped.

ARTICLE 13.

The Spanish Government undertakes that its troops of occupation shall not go beyond the posts they now occupy, so that this agreement may be given effect to in accordance with the stipulations contained therein, as also if the Spanish Government (for any reason) undertakes itself the organisation of the police force mentioned in article 2, the Shereefian Government may send a regular Makhzen military force to occupy the positions under occupation, under the conditions of the regulations of police at the ports of Morocco, in fulfilment of article 2 and article 11 of this agreement.

[33694] No. 255.

Mr. White to Sir Edward Grey.—(Received September 17.)

(No. 192.)

Sir, *Tangier, September 10, 1910.*

CONSIDERABLE difficulty has been experienced with the claims commission over the loan claim of the ex-Sultan presented by Sir H. Maclean in his own name. The Moorish commissioners are evidently afraid of incurring the displeasure of the Sultan if they pass so large a claim; they are consequently inclined to save their own responsibility by allowing it to go to arbitration. Mr. Irwin has used all possible arguments with the commission, and I have myself spoken to Cid Ali Zaky, the principal commissioner, on several occasions, pointing out to him that, in view of the clear proofs held by Sir H. Maclean, it is merely charging the Makhzen with the heavy arbitration fees not to pass it. Sir H. Maclean has produced (1) the Shereefian dahirs under the seal of Mulai Abdelaziz ordering him to raise the loans and stating the terms; (2) all the cheques to the order of the Vizier of Finance and endorsed by him; (3) a letter addressed by the Commissioner for Foreign Affairs to the doyen of the diplomatic body communicating a list of the Makhzen's debts, including the "Maclean loan." I have also spoken to Cid-el-Mokri on the subject, and his Excellency admitted that the proofs were conclusive, but still seemed to be afraid to have it passed without arbitration.

Cid Ali Zaky consulted the French Minister as to this claim, and as I have kept him informed on the subject, he was in a position to assist me. He called at this legation, and I showed him all the papers. He subsequently told Cid Ali Zaky that he had seen the papers and had spoken to me on the subject; the proofs were conclusive, and he did not see how the commission could possibly reject the claim—if they did it certainly would be passed by the arbitrators.

Cid Ali Zaky has since told me that he wished to speak to me again about this claim, as he had come to the conclusion that it would be better to settle it. I trust, therefore, that the matter may be disposed of shortly. In that case I shall report the settlement to you by telegraph, and I venture to suggest that then Sir H. Maclean might be informed that he can return to Tangier to support his other claims before the commission, should he desire to do so. The time will, however, be short, as the sittings of the sub-commissioners will cease after the 7th proximo.

I have, &c.

HERBERT E. WHITE.

P.S.—I have spoken to M. Regnault about the return of Sir H. Maclean to Tangier, after the settlement of the loan claim, in order to support his other claims. M. Regnault shares my views on the subject.

H. E. W.

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[33696] No. 256.

Mr. White to Sir Edward Grey.—(Received September 17.)

(No. 194. Confidential.)

Sir, *Tangier, September 11, 1910.*

I RECEIVED a further visit this morning from Cid-el-Mokri, who said he desired to keep His Majesty's Government informed of all the negotiations with the Spanish Government; he had therefore come to tell me that he had received orders to proceed at once on a special mission to Madrid, bearing an autograph letter from Mulai Hafid to King Alfonso. He would endeavour to smooth over the difficulties that had arisen and arrive at a settlement of the questions under negotiation.

His Excellency had called upon the Spanish chargé d'affaires and communicated to him his instructions. M. Padilla had appeared considerably upset at the idea of his going to Madrid, and had raised difficulties, saying that he did not know whether it would be convenient to his Government to receive his Excellency, that the King and Ministers were going to Bilbao, &c. He finally asked El Mokri to keep his instructions secret, and not communicate them to any other person until he had ascertained the wishes of his Government on the subject. His Excellency replied that it would be useless to try to keep the matter secret, as the report had already reached some persons.

The evident reluctance to receive him had made an unfavourable impression on Cid-el-Mokri, as it seemed to indicate that the Spanish Government did not really wish to arrive at an understanding with the Makhzen. His Excellency was very anxious to proceed to Madrid, and he was prepared to start as soon as he received the Shereefian letter, which he was expecting.

His Excellency begged me to report the foregoing to you, and added that he trusted some means might be found of inducing the Spanish Government to receive him as special Ambassador.

I informed his Excellency that I should at once report to you the information he had given me, but I abstained from expressing an opinion as to whether any steps of the nature indicated could be taken. I, however, assured his Excellency that His Majesty's Government were sincerely desirous that good relations should be established between the Makhzen and the Spanish Government, and that nothing should occur to retard the return of prosperity in this country and the introduction of reforms and good government. I was convinced, therefore, that His Majesty's Government would do all they could by friendly representations to bring about a better understanding between the two Governments, so that a satisfactory settlement of the matters in dispute might be arrived at. Happily the most cordial relations exist between His Majesty's Government and that of Spain, and our disinterestedness in Morocco was well known, so that any friendly representation His Majesty's Government may feel themselves able to make would be more likely to meet with a favourable reception.

I have, &c.

HERBERT E. WHITE.

[33694] No. 257.

Foreign Office to Sir H. Maclean.

Sir, *Foreign Office, September 20, 1910.*

THE Secretary of State for Foreign Affairs has been informed by His Majesty's chargé d'affaires at Tangier that your claim against the Moorish Government in respect of the loan raised by you on behalf of the ex-Sultan has, after considerable difficulty, been passed by the commission now sitting at Tangier to investigate the claims of foreign subjects.

Mr. White states that he has hopes of effecting a compromise in regard to your other claims, and that there appears consequently to be no need for your returning to Tangier at the present moment.

Should you nevertheless prefer to return, Sir E. Grey has no desire to oppose your wish, on the understanding that you are willing to live in Morocco as a private individual, and will abstain from seeking any public or political employment.

I am, &c.

LOUIS MALLET.

[34172] No. 258.

Sir M. de Bunsen to Sir Edward Grey.—(Received September 21.)

(No. 124.)

Sir, *Zarauz, September 16, 1910.*

ON my return to Zarauz this morning from a short absence on the east coast of Spain I read with interest the telegraphic correspondence which has passed between Tangier, Madrid, and London on the subject of an apprehended Spanish aggressive movement in the neighbourhood of Ceuta. As stated in my despatch No. 122 of the 2nd instant, I was aware that extreme dissatisfaction had been caused at Madrid by the Sultan's reply to the Spanish demands arising out of the Melilla campaign. I therefore took the opportunity offered by a conversation with the Prime Minister at Madrid on the 6th instant to ask his Excellency how matters stood. Señor Canalejas said that the difficulty presented by the Morocco problem overshadowed even the very embarrassing circumstances of the home politics of this country at the present time. Fortunately the press knew very little about it, and the questions at issue had not yet been made the subject of public discussion. But public opinion was very sensitive with regard to Morocco, and expected something tangible as the result of the protracted negotiations with the Moorish mission which arrived in Madrid fourteen months ago. The reply received from Fez did not enable a statement to be made which the country could be expected to accept. The army was chafing at the unceasing growth of French influence in Morocco, and at the refusal of the French, who had spread over a large part of the country, to sanction the slightest corresponding advance on the part of Spain in the Ceuta region.

* * * * * *

There was no reason why France should veto everything that Spain tried to do to increase her influence in her own sphere. Certainly no extensive military movement should be made while he remained at the head of affairs. The republican and labour organisations would be strongly opposed to any such enterprise. But he could not deny that there was a good deal of reason in the dissatisfaction of the army with the present position of affairs at Ceuta. The fortress was commanded by a spur of the Sierra Bullones. By mounting a few guns there the Sultan could drive the Spanish garrison into the sea. It was impossible for Spain to remain content with the occupation of a position so entirely at the mercy of the Moors. Sooner or later she would be compelled in self-defence to seize the heights from which the security of Ceuta was so dangerously threatened. The generals were already pressing hard for sanction to carry out this very simple military operation, which would only take a few hours. Their wish was perfectly reasonable, and he was finding it difficult to dispute their view that something must be done to secure the position of this Spanish fortress.

His Excellency went on to say that Spain was badly isolated. France was rapidly advancing towards the establishment of a protectorate over Morocco. Germany was delighted to see her becoming more and more involved in a policy which must eventually prove a severe strain on her resources. Austria and Italy stood aloof. England, though sympathetic, would do nothing displeasing to France. Spain was therefore thrown on her own resources. Some day she might be compelled in desperation to make a display of force in defence of her position on the north coast of Morocco.

I disputed his Excellency's hint that His Majesty's Government had been backward in coming to the assistance of Spain in Morocco. At the recent Mining Regulations Conference in Paris I said that strong support had been given by the British delegate to the proposals of his Spanish colleague. I added that within the last few weeks you had specially instructed the British chargé d'affairs at Tangier to use his best endeavours to remove the objections entertained by the French Legation to the Spanish demand for an electric light concession. What His Majesty's Government deprecated was a sudden Spanish movement in force in the Ceuta region, such as must inevitably lead to international complications. I begged His Excellency to allow no step of this kind to be taken without previous agreement with the French and British Governments, who, I believed, would willingly lend their good offices to bring about an arrangement with the Makhzen which would secure Spain from any danger of attack on her establishments along the north coast.

Señor Canalejas thanked me for my advice, but repeated that the consolidation of

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French influence in Morocco constituted a most formidable problem for Spanish Governments of whatever party.

I have, &c.
MAURICE DE BUNSEN.

[34493] No. 259.

Note communicated by M. Daeschner, September 22, 1910.

Règlement minier marocain.

LES représentants de la France auprès des États signataires de l'Acte d'Algésiras qui n'ont pas pris part à la Conférence technique de Paris ont été chargés de leur remettre le texte du projet de règlement.

Le Gouvernement britannique jugera peut-être à propos de faire connaître à ces Cabinets, de son côté, l'intérêt qu'il y aurait à réaliser le plus promptement possible l'union des Puissances sur ce document.

Cette union serait le meilleur moyen de convaincre le Sultan de la nécessité d'adopter le projet qui lui est soumis.

Ambassade de France, Londres,
le 22 septembre, 1910.

[34792] No. 260.

Mr. White to Sir Edward Grey.—(Received September 26.)

(No. 196.)
Sir, *Tangier, September* 15, 1910.

WITH reference to my despatch No. 194, Confidential, of the 11th instant, I have the honour to report that Cid-el-Mokri informed me last night that the Spanish chargé d'affaires had delivered to him a message from his Government to the effect that, although they had already delivered to the Moorish Envoy a note containing their observations on the replies he had brought from Fez, they would be very glad to receive him as Special Ambassador, and trusted he would have full powers to effect a settlement of the matter under negotiation.

Cid-el-Mokri said he hoped to leave for Madrid in the course of next week, and would be accompanied by Cid Ali Zaky.

I have, &c.
HERBERT E. WHITE.

[34794] No. 261.

Mr. White to Sir Edward Grey.—(Received September 26.)

(No. 198.)
Sir, *Tangier, September* 16, 1910.

WITH reference to my despatch No. 178 of the 27th ultimo, I have the honour to report that Cid-el-Mokri informs me that he has received a reply from the Sultan in regard to the Ben Aissa family. His Majesty has consented to release all the prisoners except Kaïd Hadj-ben-Aissa himself, but, as they may constitute a danger to the Government on account of their relations with the Berber tribes round Mequinez, His Majesty is making it a condition that they should reside at Marrakesh, where suitable quarters will be provided for them, and they will be employed in Government service. Their employés, who were also imprisoned, will be set free and allowed to live where they like.

A tribunal will be appointed for dealing with the case of the Kaïd Hadj-ben-Aissa. The charges against him will be properly examined, and, if proved, he will be sentenced to a term of imprisonment to be calculated from the time of his first arrest.

With regard to the question of preventing the future cruel treatment of prisoners

and their relatives, Cid-el-Mokri said the Sultan had given him positive assurances on the subject, and we might rest satisfied. I observed, however, that unfortunately past experience had proved that no reliance could be placed on such assurances, and it was desirable that some better guarantee should be obtained. I reminded his Excellency of his promise to discuss the matter thoroughly with the French Minister and myself, and enquired whether he had yet devised any scheme which would afford the guarantee required. Cid-el-Mokri asked for a little more time to consider the matter, and renewed his promise to discuss it with M. Regnault and myself later on.

I have, &c.
HERBERT E. WHITE.

[34795] No. 262.

Mr. White to Sir Edward Grey.—(Received September 26.)

(No. 199.)
Sir, *Tangier, September* 16, 1910.

WITH reference to my despatch No. 188 of the 4th instant, I have the honour to report that Cid-el-Mokri informs me that the prisons at Tangier have now been placed on a proper footing, and that Dr. Fumey, medical officer of the sanitary council, has been instructed to inspect and report on them once a-week.

His Excellency is giving instructions for similar measures to be adopted at once at all the ports, where the medical officers attached to the police will be appointed inspectors. He was, however, postponing sending these instructions to Tetuan for the present, as he had heard there were a large number of prisoners there. He had instructed the governor to send him a complete list of all the prisoners, explaining in each case the cause of imprisonment. His Excellency evidently hopes to be able to order the release of a considerable number of the prisoners before putting in force the regulations he has made.

I have, &c.
HERBERT E. WHITE.

[34796] No. 263.

Mr. White to Sir Edward Grey.—(Received September 26.)

(No. 200. Confidential.)
Sir, *Tangier, September* 17, 1910.

WITH reference to my despatch No. 186 of the 15th instant, I have the honour to report that I called upon Sid-el-Mokri yesterday to speak to his Excellency about the payment of claims and found him occupied with the Spanish chargé d'affaires.

On the departure of M. Padilla, Sid-el-Mokri received me and informed me that the former had come to request that, as his Excellency was proceeding to Madrid as Ambassador, Sid-el-Mouaz should be recalled by the Sultan, the Spanish Government not caring to continue negotiations with him. Sid-el-Mokri, who had informed M. Padilla that he would think the matter over and reply later, said he would be grateful if I would advise him as to the best course to pursue, adding that he had put off replying as he had desired to consult M. Regnault and me.

I replied that it was a delicate matter for me to give advice on this point, which was one that the Maghzen should settle for itself, but that personally I was of opinion that it was advisable to meet the wishes of the Spanish Government whenever they could do so without sacrificing their own interests, and it seemed to me that this was a case in which they could do so; they would lose nothing by withdrawing Sid-el-Mouaz from Madrid, and it might facilitate the negotiations. As Sid-el-Mokri himself was going to Madrid as Spanish Ambassador, there would be no object in retaining El-Mouaz, who would probably prefer to leave than to remain in a secondary position after having been Ambassador.

M. Regnault tells me that Sid-el-Mokri has since consulted him on the subject, and that he gave him similar advice to that I had tendered. Sid-el-Mokri concurred, but said that he had no authority to recall El-Mouaz without instructions from the Sultan, and that he would write at once to Mulai Hafid recommending that El-Mouaz be recalled. I understand from what Sid-el-Mokri has said to me and to M. Regnault

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that he is prepared to negotiate in a conciliatory spirit and will meet the wishes of the Spanish Government as far as possible as regards the Riff. His Excellency will, however, probably maintain a firmer attitude in regard to the indemnity for military expenses at Melilla and also as regards the police and custom-house at Ceuta.

The latter would appear at first sight to be a point on which the Maghzen might give way. The objections, I understand, are that, as there could be no effective control, not much confidence being placed in Spanish controllers, it would be largely used for smuggling silks and other costly goods, tobacco, &c., into Morocco. An attempt is already being made to use Ceuta as a means of introducing goods duty free into Morocco, the Spanish parcels-post being used for the purpose; the Spanish postal courier conveying mule-loads of goods from Ceuta to Tetuan. The Moorish authorities, however, claim to levy duty at Tetuan on such goods, which the Spanish chargé d'affaires asks should be admitted there duty free. It might be considered that the establishment of a custom-house at Ceuta would put a stop to this, but it is argued that the duties levied there would be on the same low scale as those levied on the Algerian frontier and the Moorish treasury would be injuriously affected even in case of goods duly dutied, not to mention those smuggled. There would really be no advantage to legitimate trade by the establishment of a custom-house at the Ceuta lines and permitting goods to enter and leave Morocco by that route. The ports of Tangier and Tetuan already sufficiently serve the districts near Ceuta which, moreover, are very poor, producing and consuming but little as shown by the Tetuan trade statistics—the total trade, imports, and exports combined in 1908 being under 70,000*l.*, and in 1909 65,000*l.* The object of the Spanish Government in pressing for a custom-house at Ceuta is, therefore, not very clear; the only way it would benefit would be by having corn or other produce brought from the western Moorish ports shipped to Tetuan, as coasting-trade duty free, and brought thence to Ceuta by land.

I have, &c.
HERBERT E. WHITE.

[34797] No. 264.

Mr. White to Sir Edward Grey.—(Received September 26.)

(No. 201.)

Sir, *Tangier, September 18, 1910.*

THE French Minister informs me that he received news from Fez last night that a reconciliation had been effected between the Sultan and his brother, Moulai-el-Kebir, who was at Aioun Sidi Mellouk. This reconciliation, which has been brought about through the good offices of the French and the intermediary of the Shereef Mahideen, cannot fail to strengthen the position of the Sultan in the Taza district.

I beg leave to transmit herewith a paragraph on the subject which has appeared in the "Dépêche marocaine" * of this morning, and which was communicated by the French Legation.

I have, &c.
HERBERT E. WHITE.

[35078] No. 265.

Board of Trade to Foreign Office.—(Received September 27.)

Sir, *Whitehall, September 26, 1910.*

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 12th September with its enclosures relative to certain concessions desired by the Société marocaine des Travaux publics in Morocco.

In reply, I am to state that the Board are disposed to think that the shares of the société would offer little inducement at the present time to British investors or bankers, the latter of whom would hardly be willing to take up shares except on specially favourable terms.

I am, however, to suggest, for Sir E. Grey's consideration, that he might find it desirable, in the event of its proving possible to secure a more adequate representation

* Not printed.

of British interests in the société, to approach the leading firms of British contractors who might be prepared to participate in the scheme, with an arrangement among themselves as to the distribution of the work which might from time to time be allotted to the British group.

If, however, such firms should prove unwilling to participate, the Board are inclined to doubt the desirability of support being accorded officially to the société by His Majesty's Government, as such support would preclude them from rendering their assistance in the event of complaints being made by British contractors that they were unable to secure contracts which should have been put up to tender in accordance with the provisions of article 107 of the Algeciras Act.

I am, &c.
W. F. MARWOOD.

[34172] No. 266.

Sir Edward Grey to Sir M. de Bunsen.

(No. 111.)

Sir, *Foreign Office, September 29, 1910.*

I HAVE received your Excellency's despatch No. 124 of the 16th instant reporting a conversation which you had had with the Minister for Foreign Affairs on the subject of the present relations between Spain and Morocco, and I approve the manner in which you replied to his Excellency's insinuation that His Majesty's Government have been backward in coming to the assistance of Spain.

Señor Garcia Prieto's arguments for the necessity for occupying the heights dominating the Spanish position at Ceuta appear to me to rest on no legitimate foundation. If the Moors were actually threatening to endanger Ceuta by mounting guns on the surrounding hills, Spain might perhaps contend with some plausibility that, to forestall and prevent such an act of hostility, she must, as a precautionary measure, occupy the positions herself. But it is not, so far as I am aware, alleged that the Moors have ever contemplated any such action.

I am, &c.
E. GREY.

[34493] No. 267.

Sir Edward Grey to M. Cambon.

Sir, *Foreign Office, September 30, 1910.*

WITH reference to the memorandum which M. Daeschner was good enough to leave at this office on the 22nd instant, I have the honour to inform you that His Majesty's representatives in the countries signatory of the Act of Algeciras which were not represented at the recent conference in Paris have been instructed to urge the Governments to which they are accredited to signify their approval of the draft Mining Law signed on the 7th June by the delegates of Great Britain, France, Germany, and Spain.

I have, &c.
E. GREY.

[35546] No. 268.

Mr. R. Norton to Foreign Office.—(Received October 1.)

My dear Crowe, *Duart Castle, Isle of Mull, September 28, 1910.*

I HAVE got once more to bother you about Morocco. The president of my company writes to me from Paris that he hears from Tangier that the arrangement by which we hoped to have undertaken the lighting of the Moorish coasts is being blocked by Great Britain. He asks me if I can find out what is the extent and the nature of our objections to the scheme, which he hopes may be removed.

For your convenience I send you a short memorandum of the actual state of the negotiations at Tangier. As you will see, we have modified our original proposals to

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meet local objections; and this new scheme, as I understand, was more or less originated by El Mokri himself.

You will notice that among the proposed contractors is a Birmingham firm.

I should think there is very likely some misunderstanding; but if we are blocking the scheme, perhaps you could let me know what are the objections to it, and how we might surmount them?

Yours, &c.
R. D. NORTON.

Enclosure in No. 268.

Memorandum.

ON the 11th July, 1910, the Société marocaine de Travaux publics presented to the doyen of the corps diplomatique at Tangier and the Shereefian Government a demand for the concession of the lighthouse service in Morocco, for undertaking which an agreement had been come to with the following five firms of lighthouse constructors: Barbier, Benard, et Turenne, of Paris; Chance Brothers, of Birmingham; Harle et Cie., of Paris; H. Lepaute et Cie., of Paris; Julius Pintsch Actien-Gesellschaft, of Berlin.

The terms asked for were to be a fifty years' contract, the necessary capital to be furnished by the Société marocaine de Travaux publics, with interest at not less than 6 per cent. payable by the Moorish Government, together with a sinking fund to redeem the debt in thirty years; light dues to be levied by the société and deducted from the annual sum due from the Maghzen until they reached the equivalent of that sum, after which the surplus was to be divided between the société and the Government.

As the result of negotiations between the representative of the société at Tangier and certain members of the corps diplomatique, the former was induced to modify the terms of the proposal put forward by the société. Accordingly, on the 12th September he put forward a fresh scheme, drawn up on the following basis:—

The lighting of the coasts to be undertaken by the société by arrangement, the société carrying out the necessary works conjointly with the constructing firms above-mentioned, and finding the preliminary capital necessary; such capital constituting a debt due from the Maghzen, to be repaid in ten years. During this period the société to administer the lighthouses and collect the dues under the control of the Shereefian Government. Interest at 6 per cent. and sinking fund for redemption of the debt in ten years to be paid by the Maghzen, plus cost of administration; against this sum to be set the amount of the dues levied by the société. On completion of the ten years the Maghzen, having discharged its debt, would enter into possession of the undertaking.

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[34493] No. 269.

Circular Letter addressed to His Majesty's Representatives in Austria-Hungary (*No.* 89), *Belgium* (*No.* 70), *United States of America* (*No.* 298), *Italy* (*No.* 113), *Netherlands* (*No.* 104), *Portugal* (*No.* 67), *Russia* (*No.* 265), *and Sweden* (*No.* 76).

Sir, *Foreign Office, October* 1, 1910.

HIS Majesty's Government understand that the French Government have transmitted to the Governments of the signatory Powers of the General Act of Algeciras not represented at the recent conference in Paris copies of the draft mining law for Morocco signed on the 7th June last by the delegates of Great Britain, France, Germany, and Spain.

This document is the outcome of the deliberations of an informal commission of experts who, in view of the urgent necessity of placing mining affairs in Morocco on a regular footing, were nominated by the above-mentioned Governments to meet in Paris and to examine a draft set of regulations prepared by M. Porché, the Moorish State engineer, in conformity with article 112 of the Act of Algeciras, which provides for the issue of an Imperial firman to regulate mining matters in Morocco.

The draft law, a copy of which [is enclosed for your information*] [you will have received in the print sections†] which will be recommended to the Sultan for promulgation in the manner prescribed.

I request that you will take an opportunity of mentioning the matter to the Minister for Foreign Affairs, and will express the earnest hope that his Government will see their way to signify their approval of the document in question.

I am, &c.
E. GREY.

[35656] No. 270.

Mr. Lister to Sir Edward Grey.—(*Received October* 3.)

(No. 203.)

Sir, *Tangier, September* 21, 1910.

I HAVE the honour to acknowledge receipt of your despatch No. 133 of the 12th instant, transmitting copy of a letter addressed by the chairman of the board of directors of the Société marocaine des Travaux publics to the French Minister for Foreign Affairs, putting forward a proposal for the grant of various concessions in Morocco, embracing lighthouses, ports, railways, waterworks, electric lighting, tramways—in fact practically all public works which there is any prospect of seeing executed in this country for years to come.

Shortly before receipt of your despatch I had had a conversation with the French Minister in regard to the proposal of this society as to the lighthouses to be constructed, the original scheme for which I had the honour to communicate to you in my despatch No. 145 of the 23rd July last. M. Renault, the delegate of the society, had called upon me in order to request my support, and had informed me that he had been in communication with the Comité spécial des Travaux publics, and, finding that the society's original demand for a fifty years' concession would not be entertained, had submitted to them a modified proposal to the effect that the society should advance the necessary funds for constructing all the lighthouses at the same time, instead of spreading them over five years as provided in the programme of public works, copy of which was transmitted to you in my despatch No. 27, Commercial, of the 24th September, 1909, and that they should not claim payment from the Makhzen until after the expiration of a term of ten years, retaining the management of the lighthouses in their hands during that time, under the control of the Makhzen. M. Regnault argued that this was the only way to ensure the work being well and promptly executed, and that the contract could be given to the society under article 24 (2) of the Adjudications Regulations, as the only reliable makers of lighthouse apparatus were with the society and could not accept the work except through them.

I observed that this was true so far as the apparatus was concerned, but I doubted whether it could apply to the construction of the various buildings, which could be undertaken by any contractors, who could build to a given plan.

M. Regnault stated that it would be impossible to get the work well done in that way, and added that the society had been formed at the request of the various Governments, and were therefore entitled to the support of the representatives.

I replied that he was under a misapprehension on that point, as His Majesty's Government had made no request for, and taken no part in, the formation of the society, in which, moreover, the proportion of British capital was very small. I could not undertake to support the demands of the society when possibly important British firms might desire to tender for the works.

M. Regnault expressed his surprise, saying he knew the matter had been discussed for several months between M. Pichon and Prince Radolin before the society was formed, and he thought it had been discussed with other Governments as well.

I repeated briefly the above conversation to the French Minister, and enquired whether he could give me any information on the subject. I added that I concurred in the opinion that the order for the lighthouse apparatus should go to the combine of firms who were associated with the society, as they were practically the only manufacturers whom one could trust to do the work well, but that it appeared to me

* For all except St. Petersburgh. † For St. Petersburgh only.

it might be creating a dangerous precedent to give the contract for the construction of the buildings to the society without inviting tenders from others. This work might not be very important from the point of view of capital involved, but it was a question of principle, and the precedent might be quoted when extensive public works had to be dealt with. Important British firms desired to tender for some of these works, and one could not run the risk of seeing them shut out in favour of the Société marocaine, in which the British participation was insignificant.

M. Regnault frankly admitted the justice of my remarks, and said he had always regretted that a larger portion of the capital of the society had not been allotted to England. It was now too late to remedy this, but he had spoken on the subject in France, and it had been agreed that when the society came to give out works for which they had obtained the concession, British firms should receive a larger share than was indicated by the division of the capital.

M. Regnault then proceeded to discuss the society's proposal, and observed that there was much good in it and some bad, which would have to be modified. It would be to the general advantage to have the lighthouses erected as soon as possible, and more economical in the end to build them all at the same time, as specially trained mechanics would have to be sent out to fix the apparatus in each lighthouse, and it would effect a considerable economy if they could do all the work at once instead of having to come out year by year for five years to instal one or two lights at a time.

Another point was the maintenance of the lights, payment of guardians, &c. The Makhzen could not at present find the money, and the yield of lighthouse dues on shipping, when established, would not be sufficient to cover the expenses. This difficulty would be overcome by the society's proposal to carry on the service at its own expense, opening a debtor and credit account with the Makhzen. M. Regnault considered that this would not be contrary to the provisions of articles 105 and 106 of the Algeciras Act, as the service being carried on in the name of and for the account of the Makhzen there would be no alienation, and the control of the State over the service would remain intact, whilst he did not think that article 108 would apply. I said the point was open to discussion, and the principle involved was an important one, which required careful consideration. In any case I trusted that nothing would be decided until a reference was made to the diplomatic body.

A meeting of the Comité spécial des Travaux publics was held this morning for the purpose of discussing the lighthouse question, and Mr. Rattigan expressed the opinion that the committee could not come to a definite decision as to the proposed contract with the Société marocaine without previous reference to the diplomatic body. At present there are various points under discussion, and the modified proposal has not yet been submitted to the committee. It has, however, been decided to refer at once to the diplomatic body the proposal to modify the programme of public works so as to allow of all the lighthouses being proceeded with simultaneously and as soon as possible.

The question of the management of the lighthouses is one of some difficulty. The only lighthouse at present existing in Morocco is that at Cape Spartel, which is maintained at the expense of the foreign Governments and managed by the diplomatic body under the terms of the convention of the 31st May, 1865. The total annual contributions of the Governments for the maintenance of this light and of a small harbour light at Tangier is 780*l*. It would be more convenient that all the lighthouses in the country should be under the same management, and presumably some modification of the convention of 1865 may be necessary when the lighthouses are completed. In view, however, of the importance of the lights, especially that at Cape Spartel, in case of war it would appear advisable that some assurances of international control should be maintained over them, and it will have to be considered whether management by the Société marocaine would afford sufficient guarantee even if under the control of the Makhzen.

In my opinion it would be preferable to grant no concession entailing the management of the lighthouses, the imposition of lighthouse dues would provide a portion of the funds required for their maintenance, and the balance might be made good from the funds of the Caisse spéciale.

Although the proposal regarding lighthouses is the only one which has as yet been brought to the notice of the diplomatic body, it is evident from the language held to me by Cid-el-Mokri and from Mr. Norton's letter to Mr. Langley that the Société marocaine has already been in communication with the vizier not only in regard to the Tangier harbour works, as I understand from his Excellency, but also in regard to

the railways and probably all the other public works, for the lines of railway mentioned by Cid-el-Mokri are the same as those proposed by the society.

There is some truth in the contention of the society that unless concessions are granted the resources of this country cannot be speedily developed. The Makhzen has already engaged practically all its revenues and its lands as security for existing loans, and it is difficult to see how it can raise funds required for carrying out large public works except by the grant of concessions. On the other hand I can see no necessity for embracing all the public works in one comprehensive scheme and granting a concession for the whole to a society of which half the capital is French and most of the remainder German, but a very small proportion being British. It appears to me that it would be more in the interests of the Moorish Government and more in accordance with the spirit and letter of the Algeciras Act, as well as to the benefit of British enterprise, to deal with each of the large public works separately and put them up to public tender. British firms would, doubtless, be prepared to compete for some of the works either by way of concession or merely for carrying out the works by contract, as may be decided upon. As an instance I may mention that Messrs. Topham, Jones, and Railton, who had the contract for the large harbour works, dry dock, &c., lately built at Gibraltar, have sent an engineer to Tangier to study the question of the harbour and are prepared to compete for the concession, finding the necessary capital themselves. They are also, I understand, desirous of undertaking other public works in this country. Other important firms may also be desirous of competing, and it appears to me that they would have good ground for complaint were they to be shut out by the grant of a comprehensive concession to the Société marocaine.

I would also point out that though at the present moment the Moorish Government is without funds, it is possible that with proper management and a gradual opening up of the country, receipts of mining royalties, returns from concessions, putting into force of the "tertib," &c., the position of the Moorish treasury may eventually sufficiently improve to enable it to have some of the public works executed on its own account without the necessity of granting concessions.

Again the Makhzen might raise a loan for harbour works, for instance, by pledging the harbours themselves as security for the loan. The receipts would be controlled in the same manner as the customs receipts and revenues from Government lands. In this manner the management of the harbours by a private company would be avoided.

The indefinite nature of the proposed concession in regard to its duration appears to me objectionable. The society propose to keep a debtor and creditor account with the Makhzen, and maintain the management and direction of the various services until the debt has been paid off. There would be great danger that means could be found, by allowing the Makhzen to take a larger share of the receipts, by obtaining further concessions or otherwise, of maintaining a permanent hold of these services.

Chapter VI of the Algeciras Act was framed with a view to securing equality of treatment of all nations in regard to public works, &c., in Morocco. The proposal of the Société marocaine appears to me to constitute a clear violation of this principle; not only does the society demand a comprehensive concession for practically all public works at present contemplated, but it also asks for a preferential right to contracts for future lines of railways. Thus British contractors will be shut out from all undertakings in Morocco except such contracts as the society may think fit to give them. Mr. Norton states that the chairman of the society has written to him: "Il va sans dire que je suis tout disposé à rechercher avec vous les moyens d'augmenter, sous forme de fourniture, la part qui a été réservée aux Anglais dans la distribution du capital de notre société"; but in view of the formation of the conseil d'administration of the society, in which of twelve members only one is English, and the distribution of the capital, any such promises can have but little value, and would not, in my humble opinion, justify a surrender of the guarantees provided in the Algeciras Act.

To resume: I beg to state that I consider it would be inadvisable to support the demand of the Société marocaine des Travaux publics for the grant of a comprehensive concession of public works in general, or for a concession involving the management of the lighthouse service. Tenders might be invited for concessions for such works as water supply, electric light, tramways, and if it is desired to build railways at once it would probably have to be done by concession. Harbours could be built by the Makhzen from the proceeds of loans. In any case, all public works, whether by concession or otherwise, should be put up separately to tender, either public or amongst specially qualified firms, except in cases where several services should be

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worked in conjunction, such as waterworks, tramways, and electric light, which should be combined in one contract and put up to tender.

I have, &c.
REGINALD LISTER.

[35659] No. 271.

Mr. White to Sir Edward Grey.—(Received October 3.)

(No. 206.)
Sir, *Tangier, September 24, 1910.*

WITH reference to my despatches Nos. 116 and 125 of the 1st and 9th July, I have the honour to report that upon his return from Fez Cid-el-Mokri addressed a letter to the doyen of the diplomatic body reverting to the question of the abuses of the right of protection. It having been observed in reply that the discussion he desired would be facilitated if he could indicate the abuses to which he referred, his Excellency addressed a further letter to the doyen a few days ago, enclosing a memorandum of the Makhzen's demands in this respect. I have the honour to transmit herewith a translation of this memorandum, the discussion of which will presumably be postponed until Cid-el-Mokri's return from Europe.

I further beg leave to transmit a note of my observations on Cid-el-Mokri's memorandum.

I have, &c.
HERBERT E. WHITE.

Enclosure 1 in No. 271.

Memorandum by Cid-el-Mokri.

(Traduction.)

Sur l'Article 2.—Le Maghzen juge nécessaire de limiter le nombre des sujets de Sa Majesté que les représentants des Puissances ont la faculté de choisir comme interprètes et employés.

Sur l'Article 3.—Le Maghzen demande que la limitation indiquée ci-dessus soit strictement observée ; car de nombreuses infractions à cet égard lui ont été signalées. Si un consul, vice-consul, ou agent consulaire représente plusieurs nations étrangères, il est entendu qu'il ne sera pas fondé à augmenter le nombre de ses protégés en proportion du nombre de Puissances dont les intérêts lui sont confiés ; il devra se contenter seulement du nombre indiqué à l'article ci-dessus, comme s'il n'était chargé que des intérêts d'une seule Puissance. Le Maghzen fait observer à propos de cet article et du précédant que les indigènes protégés doivent être astreints au paiement des impôts et taxes qui frappent les étrangers ; d'autre part, ces protégés n'auront ni censaux, ni associés agricoles.

Sur l'Article 4.—Le Maghzen demande l'application pure et simple de cet article.

Sur l'Article 5.—Le Maghzen juge nécessaire de signaler la violation de cet article. Un grand nombre de fonctionnaires du Maghzen ont reçu la protection étrangère, ainsi que de nombreux sujets marocains se trouvant sous le coup des poursuites. Il est devenu de pratique constante que les procès civils engagés avant la protection soient poursuivis devant l'autorité étrangère qui a assumé cette protection. On a vu des sujets marocains poursuivis pour délits ou pour crimes recevoir la protection avant d'avoir été jugés. Les représentants des Puissances voudront bien reconnaître qu'il y a là une situation intolérable pour le Gouvernement chérifien.

Sur l'Article 6.—Le paragraphe 2 de cet article comporte en ce qui concerne les protégés une élimination de leurs droits d'étendre leur protection à d'autres personnes. En effet, de nombreux, protégés émettent la prétension de protéger des personnes ne vivant point sous leur toit. C'est une violation qui est indispensable de rappeler aux représentatives des Puissances.

Sur l'Article 7.—Le Maghzen réclame un délai de six mois pour présenter ses observations au sujet de chaque notification de protection qu'il lui sera faite conformément à cet article. Ainsi la liste annuelle comprenant les employés des missions

étrangères et des postes consulaires ne devra contenir que les noms des personnes dont le Maghzen aura accepté la protection, ou au sujet desquels il n'aura pas présenté des observations.

Sur l'Article 8.—Le Maghzen demande dans le but le simplifier l'examen des affaires de protection que les listes des protégés consulaires soit dorénavant transmises par les légations respectives au Dar-en-Niaba. Les agents consulaires continueront comme par le passé, mais à titre de simple avis, à communiquer aux caïds les noms des protégés de cette catégorie.

Sur l'Article 9.—Le Maghzen tient à signaler la fréquente violation de cet article. Les domestiques des sujets étrangers sont considérés comme jouissant d'une protection effective, et c'est là une source d'abus qu'il importe de réprimer.

Sur l'Article 10.—Le Maghzen demande l'application du règlement de 1863 sur la protection. Il fait remarquer à cette occasion que seuls les négociants en gros, et non les détaillants, ont le droit d'employer des censaux. Pour établir cette qualité une enquête minutieuse sera indispensable pour chaque cas. Cette enquête sera confiée au Dar-en-Niaba avec l'assistance d'un délégué de l'autorité consulaire intéressée. Le requérant étranger devra justifier de sa qualité de négociant en gros par la production d'un certificat de la douane et de toutes autres pièces utiles. Le chiffre d'affaires exigé à cet effet ne devra pas être inférieur à 100,000 P.H. Les commissionnaires seront astreints aux mêmes règles que les négociants.

Les maisons de commerce établies au Maroc ne devront pas avoir plus de deux censaux par comptoir dans chaque port et à condition que ce comptoir commercial existe réellement dans ce port. Ainsi sera aboli un abus qui se produit actuellement en vertu duquel des maisons n'ayant qu'un seul comptoir au Maroc possèdent des censaux dans plusieurs villes. Les comptoirs dont il s'agit devront présenter à l'autorité locale avec l'assistance d'un délégué consulaire les mêmes justifications que ci-dessus pour établir qu'ils font un commerce en gros pour un chiffre minimum de 100,000 P.H.

Les maisons ne possédant que des comptoirs à l'étranger ne devront être en aucune façon admises à employer des censaux.

En ce qui concerne les associés agricoles :

Les sujets marocains ne pourront contracter des associations agricoles avec les étrangers qu'à la condition d'être eux-mêmes agriculteurs. Par conséquent, les Marocains résidant dans les villes et exerçant une profession autre que l'agriculture seront déclarés inhabiles à contracter des associations de ce genre.

De leur côté, les requérants devront se liver professionnellement à l'agriculture ou au commerce agricole et justifier d'une remise d'au moins 2,000 P.H. en argent comptant entre les mains de l'associé indigène.

Le Dar-en-Niaba à Tanger et l'autorité locale dans les autres villes de l'Empire seront fondés à demander aux parties toute justification nécessaire en vue d'établir le caractère et l'importance de l'association intervenue ; dans ce cas la partie étrangère sera assistée d'un délégué consulaire pour produire ses justifications.

Il est entendu que les indigènes jouissant de la protection au titre de censal ne sauraient avoir à leur tour des associés agricoles.

Les associés agricoles ne pourront bénéficier de l'assistance consulaire auprès de l'autorité locale que dans la limite de la protection qui est due aux intérêts des étrangers qui leur sont confiés.

A cette occasion il est nécessaire de signaler l'abus suivant :—

Bien que la convention de 1863 dénie formellement aux associés agricoles le droit de la protection, il est devenu de pratique constante que les litiges soulevés concernant les mokhalets soient portés devant les légations dont relèvent les associés étrangers de ces derniers.

Aussi le Maghzen, désirant mettre fin à un état de choses contraire au traité et au bon ordre et désirant, d'autre part, sauvegarder les intérêts étrangers confiés aux associés agricoles, propose la procédure suivante :—

Les litiges soulevés par des étrangers à l'encontre des associés agricoles seront portés devant un tribunal spécial composé de juges marocains, lesquels entendront la cause et rendront les jugements susceptibles d'appel.

Ces tribunaux siégeront dans les ports ouverts au commerce ainsi qu'à Fez et Marrakech. Les étrangers qui se présenteront comme demandeurs devant ces tribunaux auront la faculté de réclamer l'assistance d'un délégué consulaire.

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L'appel des décisions de ces tribunaux sera porté devant le représentant du Sultan à Tanger.

En outre, la liste des protégés censaux et associés agricoles sera remise chaque année au Dar-en-Niaba au début de l'année.

Les légations pourront remettre également au Dar-en-Niaba des listes complémentaires au 1er juillet de chaque année. Mais il devra être entendu qu'aucune carte de protégé censal ou associé agricole ne sera délivrée dans cet intervalle.

Les cartes délivrées par les légations devraient porter la signature du représentant du Sultan à Tanger concurremment avec celle du chef de mission étranger. Cette formalité constituerait la reconnaissance officielle par le Maghzen de la protection ainsi accordée.

Sur l'Article 11.—Le Maghzen a donné les instructions nécessaires en vue de l'exécution de l'article 60 de l'Acte d'Algéciras en ce qui concerne les ports ouverts au commerce et El Ksar, Arzila, et Azemmour.

En ce qui concerne l'intérieur de l'Empire, le Maghzen confirme les déclarations contenues à l'article 11 de la Convention de Madrid et à l'article 60 de l'Acte d'Algéciras. Il s'engage à faire mettre immédiatement cette question à l'étude et à élaborer dans un délai de trois mois un règlement administratif au sujet des formalités administratives à accomplir par les étrangers pour l'acquisition de la propriété. Ce règlement sera soumis à l'expiration de ce délai à l'approbation du corps diplomatique.

Sur l'Article 12.—Le Maghzen est décidé à mettre en application le tertib et il compte sur l'appui des missions étrangères pour mener à bien cette opération.

Sur l'Article 13.—Le Maghzen est décidé à réglementer la perception des droits d'octroi et il compte également sur l'appui des missions étrangères pour mener à bien cette opération.

Sur les Articles 14, 15, *et* 16.—Le Maghzen demande l'application intégrale de ces articles.

Enclosure 2 in No. 271.

Observations on Cid-el-Mokri's Memorandum.

Article 2.—The Makhzen desires to limit the number of Moorish subjects whom foreign representatives may appoint as interpreters or employés. This would appear to be contrary to the terms of the article referred to and also to article 3 of the general treaty between Great Britain and Morocco of 1856, and article 3 of the Spanish treaty of 1861. I am not aware that there are any abuses of this right.

Article 3.—This demand appears reasonable. Consular officers at the ports frequently represent two or more nations and sometimes name interpreters, &c., for each of them. There can be no necessity for this, and it is merely done to extend protection. It is natural that these native employés should pay taxes which are paid by foreigners. This legation has always refused to grant "censaux" (semsars) to protected persons of any category whatever; on the other hand, there would seem to be no reason why Moors in charge of their farming interests should not hold certificates of "mokhalata," or "associé agricole," under article 2 of the convention; the terms of that article should, however, be strictly adhered to and the certificate should not carry with it any protection beyond what is stated in that article.

Article 5.—It is true that a number of Moorish functionaries have received foreign protection, open or secret, but I am unaware that protection has been extended to them as employés of the legations or servants of the representatives. In any case it would be difficult to contest the right of the Makhzen to object to such protection on whatever ground given, and to demand the strict application of the terms of this article. They are also undoubtedly entitled to demand that protection should not be used to shield a Moorish subject from the jurisdiction of his authorities in matters already *sub judice*.

Article 6.—This complaint is well-founded; protection is frequently made to extend indirectly to all relations and connections of the protected person.

Article 7.—It appears to me unreasonable of the Makhzen to demand a delay of six months before the protection can be granted. A reasonable delay, sufficiently long to allow enquiries to be made, should be granted before the protection can

become effective; but in many cases, as when the persons to be protected reside in Tangier, or at one of the ports, a delay of a few days or a few weeks would be amply sufficient. It is the custom of this legation not to issue a certificate of protection without notifying the Commissioner for Foreign Affairs at Tangier, and allowing a certain time for objections to be made, the time allowed varying in length according to the place of residence of the person to be protected, but being always amply sufficient to enable enquiries to be made.

Article 8.—This legation has always acted in the manner demanded, and it is very desirable that all legations should do the same.

Article 9.—This complaint is fully justified. Very little distinction is sometimes made between semsars or "censaux" and "mokhalats," or agents, the latter receiving full protection and claiming exemption from taxation. This is a very serious abuse, and makes it almost impossible to levy internal taxation. This legation endeavours to adhere to the terms of the article, and it is desirable that the strict interpretation of the article should be enforced in all cases.

Article 10.—There are undoubtedly great abuses in regard to the appointment of semsars, some legations being unfortunately very lax in their interpretation of this article. It is very desirable that these abuses should be stopped, as they give the merchants of the nationalities of the legations in question an unfair advantage over their competitors. Frequently customers, and not agents, strictly speaking, are appointed semsars, and British merchants have complained to me that they have lost good customers through not being able to give them protection, the customer having gone to foreign merchants, who gave them protection, notwithstanding that they had already more than the prescribed number of semsars.

It would, I think, be advantageous to frame a definition of "wholesale trade"—the terms of the French convention of 1863 are vague: "Il n'est pas inutile de rappeler ici que la qualité de négociant n'est reconnue qu'à celui qui fait en gros le commerce d'importation ou d'exportation, soit en son propre nom, soit comme commissionnaire."

The question of what constitutes a "comptoir" should also be definitely settled, as some legations grant semsars to what are really mere agencies and not "comptoirs" of firms already having two semsars.

It has become the universal practice for many years past to grant semsars to important firms not residing in Morocco, but doing a large business with this country. This legation used to refuse to issue certificates to such firms, but subsequently, under instructions from the Foreign Office, such certificates were issued so as to place British merchants and manufacturers on the same footing as their foreign competitors.

The demand that only foreigners who are themselves farmers can have agricultural agents appears to me inadmissible. It is a common practice for merchants and others to invest money in stock raising or ploughing without actually themselves taking part in the operation, which they entrust to Moors, and it would be difficult to refuse to recognise their employés and to leave their interests unprotected, so that their cattle and their crops could be seized at any moment by the country governors. The system does, however, unfortunately give rise at present to great abuse. Natives entering into fictitious partnerships with Europeans in order to place their cattle and crops in safety; they also often succeed thereby in evading payment of taxes. The European puts no capital whatever into the business, but merely lends his name to the Moorish subject, a fraudulent document being made out in the form of a declaration made by the Moor before Moorish notaries to the effect that the European has given him a specified sum of money for the purchase of cattle and grain for stock raising and ploughing, the produce of which is to be divided between them. The money is generally actually paid out before the notaries, who testify to that fact in the document they draw up, and the money is returned by the Moor to the European on leaving the notaries' office. Armed with this document the European applies to his legation for the issue of a certificate of "mokhalata" to the Moor in question, and it is frequently difficult to refuse it, even though one may have a suspicion that the transaction is not *bonâ fide*.

The remedy, however, in my opinion, would be to adhere to the strict interpretation of article 9 and to put in force article 12. When it is found that a "mokhalat" certificate does not carry with it protection, and that taxation must be paid just the same, whether the property belongs to the Moor or to the European, the former would have no object in surrendering a portion of his property to a European for the purchase of a certificate.

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The question of jurisdiction over these certificated employés is a difficult one. As already stated above, I am of opinion that the terms of article 9 of the convention should be strictly adhered to. On the other hand, there should be some means of protecting these employés against persecution. Some governors seek to revenge themselves on people in their district who obtain such certificates and trump up false charges against them. It has consequently become the practice, even at legations which do not extend protection to mokhalats, to satisfy oneself that the charge preferred is *bonâ fide* before surrendering the defendant. Some such system as that suggested by Cid Mokri would perhaps be preferable as tending to render the practice uniform.

The Makhzen have certainly a grievance in regard to the great abuses that have arisen in connection with articles 14, 15, and 16, and are fully justified in demanding a more strict adherence to the terms of these articles.

In my despatch No. 125 of the 9th July, I have already reported on the wholesale manner in which Spanish naturalisation has been granted to Moors and Jews who have never set foot in Spain. I am assured that many hundreds of such certificates have been issued with the mere object of creating fictitious Spanish interests. As semsars and mokhalats are granted to these naturalised Spanish subjects, it can be well understood that the Makhzen desire to put a stop to the abuse.

It is also true that a number of Government officials receive irregular protection sometimes openly, but more often secretly. It is generally believed that all the viziers and more important Government officials have secret protection—French, German, or Spanish. It is difficult to say exactly what measure of truth there is in this report. I think that in most cases it is not formal protection that has been granted, but merely a promise of good offices to ensure the official in question from undergoing the fate of Hadj-ben-Aissa. The Sultan and the Makhzen are themselves to blame for this state of things. Viziers, &c., are allowed to enrich themselves whilst in office, and they know that the time will come when they themselves will be "squeezed," and, if they refuse to submit to the process, suffer a worse fate, as that of Hadj-ben-Aissa. It is to save themselves from this that they seek foreign protection or good offices, and Cid-el-Mokri, as well as Cid Guebbas, the Tazzis, and others, are generally believed to have received assurances of "good offices" from the French, whilst some of them, with other important officials, have also received promises of protection or good offices from other legations. The remedy for this abuse is in the hands of the Sultan. Did the necessity for protection not exist, it would not be sought. But in the meantime Cid-el-Mokri himself would be one of the last to really desire the withdrawal of these irregular protections.

[36248] No. 272.

Mr. Lister to Sir Edward Grey.—(*Received October* 6.)

(No. 55.)
(Telegraphic.) P. *Tangier, October* 6, 1910.

A TELEGRAM received from the French chargé d'affaires at Madrid on the subject of the negotiations proceeding between Spain and Morocco has been communicated to me by the French Minister.

The question of the establishment of a custom-house at Ceuta and that of the payment of the expenses of the campaign in the Riff will, I understand, be discussed either to-day or Saturday. I also gather that El Mokri fears that, unless he is prepared to yield, he will be compelled to break off negotiations, and it is anticipated that the Spanish Government will, in the event of a rupture taking place, present an ultimatum at Fez, therein following the example of France.

It is supposed that the ultimatum is already drawn up, and that the Spanish consul at Fez is ready to present it as soon as he is instructed to do so by his Government. It is significant that the consul, who left Fez recently in order to proceed to Spain on leave of absence, only went as far as Tangier, and started on his return journey to Fez yesterday.

[35982] No. 273.

Sir Edward Grey to Sir M. de Bunsen.

(No. 113.) *Foreign Office, October* 6, 1910.

Sir,

THE Spanish Ambassador called at this Office a few days ago, and had a long conversation with Sir Arthur Nicolson on the subject of Spanish relations with Morocco.

He stated that the French were behaving in a disagreeable manner towards Spain, and said that M. Pichon had told the Spanish Ambassador in Paris that El Mokri would decline to agree to the Spanish demands on the following two points:—

(*a.*) The establishment of a custom-house at Ceuta.

(*b.*) The recruiting of a native police force to be organised by Spanish officers for duties in the vicinity of Ceuta.

His Excellency declared that under no circumstances would Spain withdraw these demands.

In reply to a question, Señor Villa Urrutia stated that El Mokri had not yet opened discussions, and he agreed with Sir A. Nicolson's observation that in that case it would be better before taking any step to wait till he had done so. He only wished me to be cognisant of the question so that if the French Ambassador spoke to me about it I might be aware of the Spanish attitude. If His Majesty's Government could eventually give their moral support to Spain and say a word in her favour at Paris the Spanish Government would of course be very grateful. They were most grateful for all that His Majesty's Government had already done for Spain, and if El Mokri received a hint from the French Government to meet the wishes of the Spanish Government he would certainly yield, as he was entirely under French influence.

Sir A. Nicolson remarked that, in his own personal opinion, to raise police to keep order among the wild tribes round Ceuta was risky and might lead to much trouble. To this the Ambassador agreed, and stated that Spain had no aggressive designs, but desired the organisation of the police force as a moral satisfaction.

He mentioned that his Government intended to say a word at Paris as to the recent selection by the Makhzen of a French protégé as governor of the Anjera tribes.

Sir A. Nicolson informed him that in any case nothing could be done until El Mokri opened pourparlers at Madrid.

I am, &c.
E. GREY.

[36279] No. 274.

Sir G. Buchanan to Sir Edward Grey.—(*Received October* 7.)

(No. 136.) *The Hague, October* 5, 1910.

Sir,

I CALLED this morning at the Ministry for Foreign Affairs and, as I failed to find M. van Swinderen, communicated to his Chef de Cabinet the contents of your despatch No. 104 of the 1st instant, and expressed the earnest hope that the Netherland Government would see their way to signify their approval of the draft mining law for Morocco, which was signed at Paris on the 7th June last by the delegates of Great Britain, France, Germany, and Spain.

Count Limburg Stirum informed me that this document had already been communicated to his Government by the French Minister and that the German and Spanish Governments had expressed a similar wish to that to which I had given utterance on behalf of His Majesty's Government. The Netherland Government would send a reply to the French Government as soon as they were made acquainted with the views of Messrs. de Müller—a Dutch firm largely interested in the Moorish mining industry—to whom the proposed regulations had been submitted for any observations which they might wish to make.

I have, &c.
GEORGE W. BUCHANAN.

[36394] No. 275.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 7.)

(No. 38.) *Madrid, October 7, 1910.*
(Telegraphic.) P.

SPANISH-MOORISH negotiation.

Mr. Lister's telegrams Nos. 53 and 55.

To-day I asked Señor Garcia Prieto, who had just had a long interview with Mokri, how matters were proceeding. His Excellency informed me that some progress was being made, and that he had hopes of a successful settlement provided Mokri showed moderation. This he trusted would be ensured by friendly councils being given to Mokri by England.

Though aware, from Confidential print, of the details of the negotiation, to discuss them with the Spanish Minister for Foreign Affairs would have betrayed the source of information. I therefore limited myself to expressing once more your earnest hope that no demonstration of force would be made in the neighbourhood of Ceuta, stating my own conviction that a Spanish occupation of the neighbouring heights was not the only means of securing the safety of the fortress. Señor Garcia Prieto did not dispute this observation, which was founded on a remark which the French chargé d'affaires made to me some weeks ago to the effect that a guarantee that the Moors would not fortify these heights might perhaps satisfy the Spanish Government. In this suggestion, made in private conversation, I merely expressed my concurrence, and it is perhaps what the French Minister at Tangier refers to as my proposal for neutralisation of the heights.

From the Minister for Foreign Affairs' manner I did not gather that an ultimatum was imminent.

I have repeated the above to His Majesty's Minister at Tangier.

[36497] No. 276.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 8.)

(No. 39. Confidential.) *Madrid, October 8, 1910.*
(Telegraphic.) P.

SPANISH-MOORISH negotiation.

Mokri called on me at the embassy to-day, and spoke very freely about the negotiations. He said that essential points already discussed, such as the nomination of frontier kaïds and the Ceuta custom-house, had produced no agreement. On Monday the question of war indemnity will come under discussion, and Mokri fears no agreement is likely to be reached. He adheres to reply brought from Fez.

His Excellency evidently expects that the negotiation will fail, and that the Makhzen will be compelled to appeal to the good offices of Great Britain and France in order to attain a settlement. In the meantime he fears aggressive action on the part of Spain, which, he declares, would put in a blaze which the Sultan would be powerless to extinguish not only the neighbouring tribes but the whole country.

I informed his Excellency that I had repeatedly warned the Spanish Government of this danger, and had received assurances from them that Spain had no intention of resorting to force, and would do all in her power to reach a settlement. His Majesty's Government were not parties to the negotiation, though very much interested in its result, and it was therefore difficult for me to take any steps beyond this.

I have repeated the above to His Majesty's Minister at Tangier.

[36825] No. 277.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 10.)

(No. 41. Confidential.) *Madrid, October 10, 1810.*
(Telegraphic.) P.

SPAIN and Morocco.

The French Ambassador, M. Revoil, has had a conversation with Mokri similar to that reported in my telegram No. 39 of the 8th instant. His Excellency thinks it

difficult for the Makhzen to yield in the matter of the Ceuta custom-house, but he is inclined to admit that the Spanish Government might very well press for the payment of a small war indemnity proportionate to the measures taken for the purpose of inflicting punishment for the murder of railway navvies, but not in proportion to the greater effort subsequently displayed in the subjugation of the district now in Spanish occupation. On other points the French Ambassador thinks an agreement possible, and he has advised Mokri to make such small concessions as he properly can.

I have repeated the above to His Majesty's Minister at Tangier.

[40310] No. 278.

Memorandum by Mr. Wellesley.

BEFORE proceeding to Morocco I thought it might be advisable to interview a certain number of firms likely to take an interest in that country. I have accordingly had interviews with the heads of the following firms, who are all among the most important contractors in this country.

1. Sir J. Jackson, of Sir J. Jackson (Limited). After explaining to him the purpose of my visit, viz., that the Foreign Office were anxious to secure to this country a fair share of the Morocco trade, and that they felt that there was some danger of it passing into the hands of the French and Germans unless British firms showed some interest, Sir John told me that although they had hitherto done nothing in that country they were quite prepared to take an interest in public works of all descriptions, provided they were sound commercial propositions. All would, of course, depend on the security offered. I told Sir John that I could not as yet express any opinion on that point, but that the Morocco of to-day was not quite the Morocco of the past, and that since the Algeciras Act many of these things were subject to international control, which seemed to me to offer greater security than a purely Moroccan one. Sir John said he would be very glad for any information as regards Morocco.

Among other items of interest, he told me that his firm had enjoyed a year of unprecedented prosperity, over 3,000,000*l.* passing through their hands, but that they had not carried out a single contract in this country, all abroad. He complained that British Embassies and Legations abroad did not give the same assistance the French trade derived through their diplomatic representatives. He instanced some harbour works in the Argentine Republic and in Brazil recently put up to tender. His firm had tendered in every respect on more satisfactory terms than the French, and they had considered the contract as practically theirs, when at the last moment it was given to the French. He attributes this entirely to the "bullying" of the French Minister. In fact, in the case of Brazil, it was admitted by the Brazilian authorities, Sir John said, the French were now the most formidable competitors in the field in his line of business.

2. Sir Clarendon Hyde, of Pearsons and Co. (Limited), expressed to me the same readiness to take an interest in Morocco in all kinds of public works, to find the capital, &c., provided the security offered was such as to make it a sound commercial undertaking. They had not hitherto looked into Morocco, as they had hitherto looked upon a Moroccan Government's security and guarantee as not worth looking at, but he admitted that possibly international control may have altered conditions, and he would be very grateful for any information as to possibilities of business in that country.

Sir Clarendon Hyde expressed precisely the same opinion as Sir John Jackson in regard to the success of French competition in South America and elsewhere. He attributed it to the bullying process in the first instance and the greater readiness of the French Government to bring pressure to bear to secure the payment of debts. As regards the last point, he was not sure that the attitude of the British Government was not correct, and he told me that quite recently when in Uruguay the President had told him that they infinitely preferred giving contracts to England, if only for the reason that if there were difficulties as regards prompt payment the British Minister was not likely to press unduly. Nevertheless, Sir Clarendon Hyde thought the French in most cases not only secured the contracts, but also the payments.

3. Messrs. C. H. Walker and Co. I saw one of the managers of this firm, who equally expressed willingness to take an interest in Morocco as regards public works,

provide funds, &c., if the undertaking were a commercially sound one. They would be glad of any reports on the subject, and would on receipt of them and if *primâ facie* satisfactory send out a man to investigate on the spot. Messrs. Walker confirm all that Sir Clarendon Hyde and Sir John Jackson had told me about the French, whom they regard as the most formidable competitors.

4. Mr. G. Harland Bowden, of G. Harland Bowden and Co. This gentleman came to see me a few days ago in connection with other matters in Spain. I took the opportunity of calling his attention to Morocco, and he expressed great readiness to interest himself in any public works, provided always that the business was sound. In fact, he was very keen, and he struck me as being very enterprising and go ahead. He said he would be most grateful for any information on the subject of Morocco. I have since made enquiries as regards this firm, and find that it is a very respectable concern, in a good way of business, and have carried out very important contracts. Mr. Harland Bowden told me that he could command a very large capital if necessary.

Foreign Office, October 10, 1910.

[36984] No. 279.

Sir R. Rodd to Sir Edward Grey.—(Received October 12.)

(No. 116.)

Rome, October 6, 1910.

Sir,

I TO-DAY made a verbal communication to the Secretary-General of the Ministry for Foreign Affairs in the sense indicated in your despatch No. 113 of the 1st instant respecting the draft mining law for Morocco, signed on the 7th June last by the delegates of Great Britain, France, Germany and Spain.

Signor Bollati remarked that although his Government quite recognised that the interests of those four countries were the most important ones concerned, they would, however, have preferred to have been consulted beforehand instead of being requested to give their adhesion to an accomplished fact, and that an observation to this effect had been made to the other three Powers who had been represented on the commission. The Italian Government had, however, examined the draft law, and, having found that it contained nothing inimical to their interests, had authorised their chargé d'affaires at Tangier to signify their approval.

I have, &c.

RENNELL RODD.

[37098] No. 280.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 12.)

(No. 43.)

(Telegraphic.) P. *Madrid, October* 12, 1910.

SPANISH-MOORISH negotiation.

An agreement on the question of the nomination of the kaïds in the Riff has now been reached, and the press have been officially notified that more satisfactory progress is being made. Ceuta custom-house and control of the Angera tribe remains a very difficult point. M. Revoil has rendered much assistance in urging Mokri to adopt a conciliatory attitude. His Excellency has also urged upon the Spanish Government not to allow this negotiation to end in failure, but rather to sign, after full discussion, a convention with Morocco embodying all the points accepted, while leaving the remainder for further discussion. The question of the war indemnity has not yet been broached.

I have repeated the above to His Majesty's Minister at Tangier.

[37100] No. 281.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 12.)

(No. 45. Confidential.)

(Telegraphic.) P. *Madrid, October* 12, 1910.

SPANISH-MOORISH negotiations. My telegram No. 43 of to-day.

Mokri informs me that to-day an agreement was reached in the matter of the policing of the Ceuta frontier. A kaïd is to be selected for this purpose by the Makhzen from among the native notables. He is to have under his orders 250 Government troops, organised and paid for by the Makhzen, which will also undertake to send any reinforcements that may be necessary.

I have repeated the above to His Majesty's Minister at Tangier.

[37348] No. 282.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 14.)

(No. 47. Confidential.)

(Telegraphic.) P. *Madrid, October* 14, 1910.

SPANISH-MOORISH negotiation. My telegram No. 45 of the 12th instant.

I have been confidentially informed by Mokri that this morning's discussion dealt with the payment of the police forces to be established in the districts round Melilla and Ceuta.

It was agreed that the cost of the force for the Melilla district, to number some 1,200 men, should be defrayed by local taxes and the receipts of the Melilla customs. The Spanish Government would advance for the first year the sum required, which was estimated at 1,000,000 pesetas.

With regard to the force for the Ceuta district, to number some 250 men, the Spanish Minister for Foreign Affairs had insisted that it should be paid for out of customs dues to be collected at Ceuta. Mokri maintained that the force should be paid by the Makhzen, pointing out that the Customs of Tangier and Tetuan were already pledged for the service of the 1910 loan, and the receipts from these sources would be diminished by the establishment of a custom-house at Ceuta. Consequently the Moorish Government could not concede this without having first obtained the consent of the bondholders, whose interests would be affected thereby. This consent might be sought by either the Moorish or Spanish Government.

It was finally agreed to resume discussion on this point the following day after the Spanish Cabinet had considered the matter. If no agreement were reached at to-morrow's meeting, the Moorish Government would be obliged to have recourse to the good offices of Great Britain.

I gather, from a conversation with Señor Garcia Prieto, that the Spanish Government consider this day's meeting most unsatisfactory.

I have repeated the above to His Majesty's Minister at Tangier.

[37386] No. 283.

Mr. Lister to Sir Edward Grey.—(Received October 15.)

(No. 214.)

Sir,

Tangier, October 6, 1910.

WITH reference to Mr. White's despatch No. 213 of the 18th ultimo, I have the honour to report that Moulai-el-Kebir arrived in Tangier yesterday and is to proceed to Fez on Saturday next. Both Cid Guebbas and the French Minister have told me that he is in a very great fright, and I gather from the former that the wording of the dahir granting him permission to return is somewhat obscure as regards the position he is to occupy, and admits of two readings. He is not looking forward to his home-coming.

I have, &c.

REGINALD LISTER.

[37387] No. 284.

Mr. Lister to Sir Edward Grey.—(*Received October* 15.)

(No. 215. Very Confidential.)

Tangier, October 8, 1910.

Sir,

EVER since my return to Tangier on the 3rd instant, I have seen the French Minister daily, and he has communicated to me very confidentially all the telegrams, &c., which have been repeated to him from Paris and Madrid in connection with the negotiations proceeding between the Spanish Minister for Foreign Affairs and El Mokri.

M. Regnault is undoubtedly very anxious as to the result of these negotiations, and is convinced that the Spanish Government secretly hope to create an incident somewhere in Morocco. In support of this view, he points to their feverish activity at various points in the Empire, the great increase of the garrison at Ceuta, the journeyings to and fro of the Spanish captain of police in Anjera district, the complaints raised by Spain against various officials in the neighbourhood of Alcazar, their attitude with regard to the removal of Raisuli from the governorship of the Anjera, &c.

From the account given by the French chargé d'affaires at Madrid, it would appear that the claims of the Spanish Government are very exorbitant, one of them being the right to naturalise two on every hundred Moors. As each one of these naturalised persons would undoubtedly appoint two semsars, the number would be raised to six, and if all the nations enjoying most-favoured-nation treatment in Morocco followed suit to Spain there would hardly be enough Moors to go round!

As I stated in my telegram No. 53 of the 4th instant, M. Regnault mentioned a suggestion, which he thought had emanated from His Majesty's Ambassador at Madrid, that the Apes Hill might be neutralised. This, he said, he considered an excellent idea, and one which he imagined would suit His Majesty's Government extremely well. I said that I thought it very probably might, but that it was at the same time one which it would be difficult to persuade the Spanish Government to accept. I realise from Sir M. de Bunsen's telegram No. 38, which he kindly repeated to me, that the suggestion did not come from him. It has of course been made before, but was at the time vetoed, if I am not mistaken, by the French. M. Regnault has not as yet received any information as to the result of the discussions on the subject of the payment of the Riff campaign and the establishment of a customs-house at Ceuta. He is leaving to-morrow for Paris.

I have, &c.

REGINALD LISTER.

[37388] No. 285.

Mr. Lister to Sir Edward Grey.—(*Received October* 15.)

(No. 216.)

Tangier, October 8, 1910.

Sir,

ON the day after my return I had a long conversation with the French Minister on a variety of subjects connected with Morocco, in the course of which he alluded to the proposals of the Société marocaine des Travaux publics, which formed the subject of Mr. White's despatch No. 203 of the 21st ultimo.

M. Regnault, in speaking of the scheme for the construction of the lighthouses, used very much the same language to me as he had done to Mr. White, but assured me that nothing had been settled, nor would be, without reference to the Corps Diplomatique. M. Renault had no doubt gone a little too fast, and in speaking to Mr. White had conveyed an impression that everything was arranged, which it most certainly was not. The gentleman in question called upon me the other day, and was very much more cautious in his language. He said, in fact, that nothing was settled, that matters were hung up by the absence of Mokri, and that he was thinking of returning to Paris to talk matters over with his directors, "as of course, in a country like Morocco, so many points had to be taken into consideration, and the approval of so many parties had to be obtained, before anything could be arranged, that it was necessary to act with the greatest caution and circumspection."

To return to my conversation with M. Regnault. After finishing what he had to

say about the lighthouses, he went on to discuss the larger question of the desire of the Société marocaine to obtain the concession of public works of all sorts in Morocco for a number of years, which would entail a modification of the Act of Algeciras.

I at once told him that it appeared to me very difficult for me as British Minister to recommend my Government to support the demands of an international company in which the proportion of British capital was so small, and by so doing to absolutely exclude British industry from participating in public works in Morocco for years to come in consideration of a paltry 5 per cent. held by a firm of only secondary importance. M. Regnault said he fully understood my point of view, and had from the first regretted the manner in which the participations of capital had been allotted. It was to some extent accounted for by the fact that at the time of the formation of the Société, French and German companies were already engaged on harbour works in Morocco: the former at Saffi and Casablanca, the latter at Laraiche and Tangier; moreover, 5 per cent. of the German participation was to go to Austria. Still, he had always felt that the British share was quite inadequate. He alluded to M. Lebon's proposal to place large orders for material with British firms. I said that that all sounded very nice, but that we should have to have something more definite before the point could be seriously considered. He replied that of course the arrangement would have to be made quite clear and binding, and we need have no fear on that score. He then went on to say that as a matter of fact he was by no means convinced that the scheme so ardently advocated by the Société marocaine was a good one, and he was far from being their representative. He anticipated that great difficulty would be experienced from the representatives of various Powers, notably the Dutch, were an attempt to be made to modify the Act of Algeciras in the direction of granting concessions for public works, and he told me confidentially that a large French firm which had not joined the Société had announced its intention to tender, and would no doubt *pousser des hauts cris* were it excluded from competition in virtue of an arbitrary alteration of one of the principles of the Act of Algeciras. I pointed out to him that if this were already happening in the case of French firms which disposed of a participation of 50 per cent., how much more was it to be expected from British firms who had to be content with 5 per cent. He fully agreed. I said that I thought there was a good deal to be said in favour of some limitation in the case of tenders for large and expensive works, and that guarantees might be required which would ensure that only serious firms possessing the financial and technical equipment necessary for the construction and completion of great works should be allowed to compete; this would save time and trouble, and also obviate the risk of work being badly done, or even eventually abandoned. M. Regnault shares this view, and I really believe that he is hostile to the idea of an exclusive concession. He, of course, considers that it would be far better that the Maghzen should keep in its own hands the working of public services; at the same time, if they are without the necessary funds, and are consequently unable to do so, he does not consider that they are debarred by the wording of article 106 of the Act of Algeciras from conceding the working of such services to a company, provided that the necessary stipulations were made to render their control intact.

I have, &c.

REGINALD LISTER.

[37354] No. 286.

Sir C. Spring-Rice to Sir Edward Grey.—(*Received October* 15.)

(No. 133. Confidential.)

Stockholm, October 11, 1910.

Sir,

WITH reference to your despatch No. 76 of the 1st instant, I have the honour to inform you that the Swedish Government has already accepted the draft mining law, which formed the enclosure in your despatch.

The French chargé d'affaires had received instructions from his Government to communicate the text, and to recommend its acceptance to the Swedish Government. Somewhat to his surprise, the German chargé d'affaires informed him that he had received instructions from Berlin ordering him to make a joint communication with his French colleague. M. Clausse, the French chargé d'affaires, although he had heard nothing from his Government as to a joint communication, raised no objection to the proposal of his German colleague. The communication was consequently made

by the two representatives together. The German chargé d'affaires, I understand, made a written communication enjoining in somewhat energetic language on the Swedish Government the immediate acceptance of the projet. The Swedish Government accordingly lost no time in sending the necessary instructions to Morocco.

As you are aware, Sweden possesses the largest known deposits of high-class iron ore, and the recent discoveries in Morocco may have a considerable effect on the demand for the Swedish product. It has been pointed out to me that it is possible that Messrs. Krupp or the German Government may have had reason to fear some opposition on the part of Sweden to a proposal likely to result in the opening up of a new and important iron field.

The Spanish Minister has as yet made no official communication on the subject.

I have made a formal communication to-day in the sense of your despatch on the occasion of Count Taube's weekly reception.

I have, &c.
CECIL SPRING-RICE.

[37515] No. 287.

Sir M. de Bunsen to Sir Edward Grey.—(*Received October* 16.)

(No. 49.)
(Telegraphic) P. *Madrid, October* 15, 1910.

SPANISH-MOORISH negotiation.

At meeting to-day a demand was put in by Spanish Minister for Foreign Affairs for a war indemnity amounting in all to 125,000,000 pesetas, including 67 millions for the Melilla campaign and 47 millions for occupation during the present year. Mokri declared the Moorish Government could never pay such a sum. Señor Garcia Prieto suggested the new mining tax as a security. It was then agreed to postpone further discussion of this question and of the Ceuta customs till Monday.

The above details were communicated confidentially to myself and the French chargé d'affaires by Mokri, who asks us to obtain for him the views of our respective Governments before next meeting. French chargé d'affaires is telegraphing for instructions.

I would venture to suggest, with diffidence, whether Mokri might not be advised to recognise principle of an indemnity proportionate to the effort required to punish the tribes for the assault on Spanish workmen, leaving the amount to be fixed by some arbitral tribunal. Spain, of course, might very possibly refuse arbitration. I gather French Embassy would agree to this course.

With regard to Ceuta custom-house, it might help matters to advise Mokri to agree, subject to consent of Algeciras signatory Powers.

It is likely that the next meeting will be deferred until Mokri has been informed of views of French Government.

I have repeated the above to His Majesty's Minister at Tangier.

[37649] No. 288.

Sir M. de Bunsen to Sir Edward Grey.—(*Received October* 17.)

(No. 137.)
Sir, *Madrid, October* 12, 1910.

THE President of the Council, speaking in the Senate on the 7th instant, made allusion, in the course of a review of the events of the recess, to the relations of Spain and Morocco. He expressed his regret that the negotiations now in progress should have caused such widespread alarm. The working classes feared a fresh dispatch of troops to the Riff, their employers a dislocation of trade, diplomacy anticipated international complications. For all this the Spanish Government were not responsible. Rumours had been current, grossly exaggerated, of military preparations. They had done their best to allay these. In point of fact the Government had no more than fulfilled its military obligations in regard to the territory now occupied in the Riff. As regards the interests of other countries, Spain had acted with perfect loyalty, nor had this been called in question. What had happened was as follows: Moorish diplomacy was apt to be dilatory, and it had been necessary, in the course of negotiations, to require a reply from the Moorish Government. This

request had contained expressions in the nature of a reasoned ultimatum, but it was not accompanied by any threat of force. On receipt of this admonition, the Moorish Envoy had thought it necessary to return to his country and confer with his Sovereign. The result of this conference was a reply of a nature wholly unacceptable. It rejected what Spain regarded as just claims. A state of things thus arose which threatened a breach of normal relations, and this the Makhzen had met by the nomination of a high official to continue the negotiations. It was not permissible, said Señor Canalejas, to say more than that those negotiations were now proceeding under most favourable auspices, and that there was ground to hope that conclusions satisfactory to both parties would be reached. He only regretted that circumstances did not allow him to submit the whole matter to the House in a Red Book.

On the following day, speaking in the Lower Chamber in justification of the policy of the Government, Señor Canalejas said that he knew that there were some who saw no benefit to Spain in her African enterprises. In his view the country was called upon for a work of civilisation in Morocco, in common with others, and could not draw back. To those who saw no material advantage in Spanish action in Morocco he pointed out their participation in the recent Moorish loan and the opportunities lately afforded to Spanish commercial undertakings in that country. As regarded the abandonment of their possessions in North Africa, advocated by some, he considered such suggestions unpatriotic, and against the interests of national security. In conclusion, as on the previous day, he summarised the position as regards the present negotiations, assuring the Chamber that, neither in her relations with foreign countries nor with Morocco, had Spain anything to fear under this head. If, however, the improbable came to pass and the Government found themselves compelled to contemplate measures of force, he begged the House to believe that he would never enter upon such a course with the support of his own party alone. The matter was one in which every opinion represented in the Chamber would be entitled to consultation.

I have, &c.
MAURICE DE BUNSEN.

[37567] No. 289.

Earl Granville to Sir Edward Grey.—(*Received October* 17.)

(No. 122.)
Sir, *Brussels, October* 15, 1910.

WITH reference to my despatch No. 116, Confidential, of the 8th instant, I have the honour to report that I have now received a note from the Belgian Minister of Foreign Affairs informing me that the Belgian Government sees no objection to the draft mining regulations for Morocco, drawn up on the 7th June last by the delegates of Great Britain, Germany, France, and Spain, being submitted to the approval of the Maghzen. The Belgian Legation at Tangier has been informed of the acceptance by the Belgian Government of this draft.

I have, &c.
GRANVILLE.

[37796] No. 290.

Sir F. Bertie to Sir Edward Grey.—(*Received October* 17.)

(No. 80.)
(Telegraphic.) P. *Paris, October* 17, 1910.

M. PICHON told me to-day that he had instructed the French Ambassador in London to speak to you about the demands made by the Spanish Government on the Government of Morocco, which he considers to be excessive, the war indemnity, for instance, being put at 5,200,000*l.*, whereas the French Government only claimed a total sum of 3,600,000*l.*, which was inclusive of 800,000*l.* to provide for their international claims.

M. Pichon hopes that you will advise the Spanish Government to make a considerable reduction in their demands, since the Moorish Government are quite unable to produce such a large sum as that claimed, and the Moorish envoy must

inevitably reject the Spanish demands as they now stand. If the Spanish Government persist, the Moorish Government will make an appeal to the Powers, and a situation will thereby be created which will be most injurious to British, French, and Spanish interests, and will be to the advantage of no one except Germany. Friction between the three Powers chiefly interested in Morocco would be most pleasing to Germany.

[37793] No. 291.

Mr. Lister to Sir Edward Grey.—(Received October 17.)

(No. 57.)
(Telegraphic.) P. *Tangier, October 17, 1910.*

SIR M. DE BUNSEN'S telegram No. 49.

For purposes of reaching a settlement, it may possibly be considered desirable that the principle of indemnity be recognised by the Moorish Government. The case of Spain, however, cannot be considered as identic with that of France at Casa Blanca, nor do I consider that sufficient grounds exist for holding the Moorish Government responsible. As will be seen from my annual report for last year, the Spaniards, in my opinion, are entirely responsible for the Melilla incident, as they wilfully disregarded the warnings and protests of the Moorish Government. It would create a dangerous precedent, and it would be almost impossible for the Spaniards to resist a repetition at Ceuta of the tactics which have proved so successful in the Riff; moreover, everything is in readiness for action at Ceuta.

I need not add that any fresh call upon her already exhausted resources would absolutely cripple the Moorish Government.

[38094] No. 292.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 20.)

(No. 140.)
Sir, *Madrid, October 16, 1910.*

THE information concerning the progress of the negotiation on which El Mokri is engaged with the Spanish Government, which I have endeavoured to condense into my telegrams Nos. 45, 47, and 49, was communicated confidentially from day to day, by Mokri himself, or by his interpreter acting under his orders, to Mr. Rennie, Councillor of His Majesty's Embassy, who takes his meals at the same hotel, for my information.

Although on some points of importance, such as the constitution of the Spanish-officered police force for the Riff, the establishment of a custom-house at Melilla, and I believe with regard also to the subsidiary questions such as the figure of the indemnity due on account of the presence of Spanish troops at Casa Blanca and the Spanish demand in respect of telephone and electric light concessions, good progress appears to have been made, the two all-important points, in Spanish eyes, namely, the Melilla war indemnity and the Ceuta custom-house, have offered so far insuperable difficulties

As regards the Ceuta custom-house—that is, the Moorish custom-house outside Ceuta so eagerly desired by the Spanish Government as a trade outlet into the interior—I gather that El Mokri's unwillingness to yield is founded on a rooted distrust of the honesty of Spanish trade, and, perhaps chiefly, on his conviction that the attempt to open a trade route across the territory occupied by the Angera tribe would inevitably lead to murderous incidents calculated to reproduce, in the region adjacent to Tangier, the circumstances which brought about last year the Spanish military occupation of a large portion of the Riff.

To these apprehensions M. Revoil, who has just delivered his letters of recall as French Ambassador, adds the consideration that the Powers which subscribed to the Morocco loan of 1910, which is secured largely on existing customs revenues, would probably object to the establishment in the immediate neighbourhood of Tangier and Tetuan of a rival custom-house likely to reduce the receipts of the existing neighbouring custom-houses, and thus weaken the security for the loan.

Though I have not discussed the question in any detail with the Spanish Minister for Foreign Affairs, who has not sought a conversation with me on the

subject, I can see, from the few remarks he has let drop during our recent meetings, that he does nor admit the danger of a rupture with the tribes as a consequence of the opening of a new trade route, and that his determination in pressing the Ceuta custom-house on the unwilling Makhzen is founded on the Spanish interpretation of articles 30 and 103 of the General Act of Algeciras, by which he claims that, in the Spanish frontier districts in Morocco, all matters arising out of the suppression of contraband and all customs matters are made subject to direct negotiation between Spain and Morocco. Señor Garcia Prieto is therefore, I believe, not prepared at present to recognise that other Powers interested in the receipts of the remaining custom-houses have anything to say in the matter.

Notwithstanding his attitude on this question, I believe that M. Revoil has privately advised Mokri to revert to the question at a future meeting, and to offer concurrence with the Spanish demand, provided the interested Powers raise no objection.

The war indemnity question was raised for the first time yesterday. The Spanish Foreign Minister put in a claim for a rough total of some 125,000,000 pesetas (4,630,000*l.* at the present exchange of about 27 pesetas to the 1*l.*).

El Mokri furnishes confidentially the following details, which include the principal demands:—

	Pesetas.
Fortification of Mar Chica and Cabo de Agua in 1908	900,000
Melilla campaign, 1909	67,000,000
Cost of occupation in 1910	47,000,000
Roads, &c.	3,000,000
Indemnity to wounded and families of killed	500,000
Attacks on the Spanish fortresses at Alhucemas and Peñon de Gomera.	500,000
Spanish navy	3,000,000
Total	121,900,000

Mokri replying that these sums lay entirely beyond the resources of the Makhzen, Señor Garcia Prieto suggested that the royalties due eventually to the Makhzen under the new mining tax would afford a sufficient security.

El Mokri demanded time to consider his reply, and, as stated in my telegram No. 49 of yesterday, already alluded to, he asked both myself and the French chargé d'affaires to ascertain, if possible, the views of our respective Governments for his guidance.

M. Martin accordingly telegraphed last night asking for instructions.

Though I have myself been careful to give El Mokri to understand that I had no status in the negotiation at present, and that before replying definitely on any point His Majesty's Minister at Tangier would certainly have to be consulted, I felt it my duty, nevertheless, to telegraph to you the present position of affairs, and to repeat my telegram to Mr. Lister, so that, if thought advisable, I might receive your directions as to the language I should hold to Mokri.

As to the war indemnity, I have never been able to admit, personally, as entirely just to Spain the contention sometimes put forward on behalf of France that, owing to differences in the manner in which the French and Spanish military expeditions were brought about respectively in Casa Blanca and Melilla, the right of the French to a war indemnity is to be regarded as indisputable while that of Spain will not admit examination. I doubt if an equitable arbitral judgment would entirely deny a war indemnity to Spain, however small, having in view what was exacted by her powerful neighbour.

At the same time I regard the total of the Spanish demand as very greatly exaggerated. In two or three conversations with M. Revoil and M. Martin, now chargé d'affaires, I have noted a general agreement with me on these points. As a personal opinion, subject entirely to what may be thought at Tangier and Paris, these gentlemen were disposed to agree that the principle of a war indemnity to Spain should not be entirely rejected by the Makhzen, but that the amount should be settled by arbitration.

I accordingly ventured to telegraph to you in that sense, though with great diffidence, and regretting greatly that time does not permit me to consult Mr. Lister on every point before offering an opinion which is necessarily of little weight by the side of those he has no doubt formed on the spot.

It is of course quite doubtful if Spain would accept such a suggestion, but by refusing it she would put herself in the wrong.

She would possibly equally reject the suggestion of an appeal to the interested

Powers as to the Ceuta custom-house. But here, again, by so doing, she would alienate European sympathy.

There can be no doubt that the mind of the Spanish Government is profoundly moved by the crisis of the affairs of Spain in Morocco. After fifteen months' negotiation they feel that a settlement, on the lines which they declare to be peremptorily demanded by public (except Republican) opinion, is not yet within their grasp. They are being urged by the Conservative and Liberal press to yield no essential point and to dismiss the Moorish Ambassador with ignominy rather than give way to his obstinacy. The Prime Minister's anxiety on the Morocco question has been repeatedly reported by me. The demands of the army for decisive action in support of what are assumed to be the just claims of Spain are very difficult to resist. It is well known that the King sympathises entirely with the army, and, after the events at Lisbon, His Majesty is doubtless doubly anxious to secure its favour.

On all these grounds, and though I can hardly believe that after so many warnings the Spanish garrison of Ceuta would now be let loose on the neighbourhood, it seems very desirable to omit no opportunity of inducing the Moorish envoy to abstain from peremptory refusals on any point, but that he should be encouraged rather to take refuge in replies which, by leaving the door open to the intervention of an arbitrator or of the other Powers concerned, would enable the Spanish Government to claim at least a drawn game on the points to which they attach the greatest importance.

I have, &c.
MAURICE DE BUNSEN.

[38150] No. 293.

Mr. Rennie to Sir Edward Grey.—(*Received October* 20.)

(No. 50.)
(Telegraphic.) P. *Madrid, October* 20, 1910.

SPANISH-MOORISH negotiations. Sir M. de Bunsen's telegram No. 49 of the 15th October.

At this morning's meeting El Mokri informed the Spanish Foreign Minister that he would be prepared to accept the principle of a war indemnity, provided the question of the amount of the indemnity were to be submitted to the arbitration of a friendly Power.

To this Señor Garcia Prieto replied that there could be no question of a third Power intervening in the negotiations; on this point he could make no compromise, the national honour was at stake.

On Mokri then requesting two days to consider the situation, he was informed that this would be granted on the understanding that if he were not by then in a position to discuss the amount of the indemnity, his mission would be considered at an end.

Finally Mokri proposed that a protocol should be drawn up recording the points on which they had come to some agreement. The Spanish Minister for Foreign Affairs refused to sign any protocol until the indemnity question had been settled. If this were not done he would consider the negotiations that had already taken place as null and void.

I have repeated to His Majesty's Minister at Tangier the above information, which was communicated to me by the French chargé d'affaires.

[37796] No. 294.

Sir Edward Grey to Sir F. Bertie.

(No. 367.)
(Telegraphic.) P. *Foreign Office, October* 20, 1910.

MY telegram No. 31 of the 20th October to Madrid.

Please approach French Government immediately as indicated in above telegram

Please also inform M. Pichon that Spanish Ambassador in London informs me that if the Spanish Government were able to arrive at a satisfactory settlement of

questions regarding custom-house at Ceuta and police they would be disposed not to raise much difficulty over question of indemnity.

His Excellency further states that matters might possibly be satisfactorily arranged if the French Government would withdraw their objections to customs.

(Repeated to Madrid, No. 32, and Tangier, No. 34.)

[37796] No. 295.

Sir Edward Grey to Sir M. de Bunsen.

(No. 31.)
(Telegraphic.) P. *Foreign Office, October* 20, 1910.

SPANISH-MOROCCAN negotiations. Your telegrams Nos. 49 and 50.

We have no intention of intervening officially, nor would such intervention be practical. There would, however, in my opinion be no objection to your inviting the Spanish Minister for Foreign Affairs to have a private conversation with you upon the matter, when you might advance the arguments contained in Tangier telegram No. 57 of the 17th instant as your own.

In order to avoid appearance of concerted action on the part of His Majesty's Government and of the French Government, I am suggesting to that Government that the French Ambassador at Madrid should also discuss matter privately with Minister for Foreign Affairs, and utilise arguments advanced by M. Pichon (see Sir F. Bertie's telegram No. 80 of the 17th October).

It might be well if you and your French colleague were to take this opportunity to counsel El Mokri to adopt a conciliatory and moderate attitude, informing Spanish Minister for Foreign Affairs that you have done so.

You should, however, wait until your French colleague has received instructions before taking any action in the matter.

The information on the subject given me by Spanish Ambassador in London will be found in my telegram No. 367 of to-day to Paris.

His Excellency was requested to use his good offices with a view to dissuading his Government from putting an end to negotiations on Saturday next. The desirability of exercising great patience in negotiations with the Moors was also impressed upon the Ambassador.

(Repeated to Paris, No. 366, and Tangier, No. 33.)

[38362] No. 296.

Sir Edward Grey to Sir M. de Bunsen.

(No. 33.)
(Telegraphic.) P. *Foreign Office, October* 21, 1910.

SPAIN and Morocco. My telegram No. 31 of the 20th October.

Following is for your guidance:—

Concessions which Moorish Government would, it is thought probable, be prepared to grant to Spain should be of great assistance in facilitating a satisfactory settlement. A rectification of the neutral zone at Ceuta and a territorial concession at Melilla are the concessions which may be expected. It is possible that no objection might be raised to the establishment of a custom-house at Ceuta if the Spanish Government concurred in the revenues derived therefrom being made an additional security for the loans which already exist.

The above information may be of service to you when discussing matter with Spanish Minister for Foreign Affairs.

(Repeated to Paris, No. 370.)

[38363] No. 297.

Mr. Lister to Sir Edward Grey.—(Received October 22.)

(No. 218.)

Sir, *Tangier, October 14, 1910.*

IN continuation of my despatch No. 214 of the 6th instant, I have the honour to report that Moulai-el-Kebir, on the day before he was to start for Fez, succeeded in making his escape, and fled into the Anjera district. He was, however, recaptured the next night in a village about 11 miles from Ceuta, brought back to Tangier, and locked up in the Kasbah. He was at first put in irons, but these were removed at the desire of the French chargé d'affaires, who, however, explained to him that he could only expect that after his flight more severe measures of precaution would be taken to prevent a repetition of his escapade. I gather that he took fright at the wording of the Dahir, which, as I stated in my above-mentioned despatch, Guebbas admitted might be read iu two different ways. He has now left for Fez, guarded by an escort of twenty-five soldiers, the interpreter of the French consulate at Fez, and one of the Algerian soldiers of the French Legation.

I have, &c.
REGINALD LISTER.

[38364] No. 298.

Mr. Lister to Sir Edward Grey.—(Received October 22.)

(No. 219.)

Sir, *Tangier, October 16, 1910.*

WITH reference to Mr. White's despatch No. 198 of the 16th September, I am informed by His Majesty's consul at Fez that the ex-Basha of Fez, Hadj-ben-Aissa, and his brothers, Hadj Hamed and Hadj Mahommed, were released on the 9th instant, and that orders have been sent to Mequinez for the release of their relatives there. I understand that the other prisoners at Fez who were arrested at the same time as Hadj-ben-Aissa have not yet been released, the Sultan having told them that it was they who led the basha astray.

It is said that the properties of the basha and his family will be restored to them, but that they will have to pay a sum of 25,000 dollars (3,300*l.*), 20,000 dollars for the Sultan and 5,000 dollars for El Glawi, for which sum and also for their future good behaviour the present Bashi Saïd Bagdadi and the Kaïd Meshwar (the Lord Chamberlain) Mustapha Beniaish have become sureties.

I have, &c.
REGINALD LISTER.

[38365] No. 299.

Mr. Lister to Sir Edward Grey.—(Received October 22.)

(No. 220.)

Sir, *Tangier, October 16, 1910.*

I HAVE the honour to report that on the 8th instant the sub-commissions constituted for the examination of claims, both direct and indirect, against the Moorish Government concluded their labours, having sat for four months in accordance with the procedure arranged by the representatives of the Powers at Tangier, as reported in my despatch No. 88 of the 28th May.

The British claims amounted to 175. Of these ninety-nine have been settled, representing a total value of some 336,000*l.* Nine cases have been suspended pending the receipt of answers to letters written by the sub-commission. Forty-two cases are expected to go to arbitration, having been rejected totally or in part by the sub-commission. In some cases it has been impossible to obtain answers from Government officials, and owing to the limit of time the cases could not be thoroughly investigated, and other cases have been delayed owing to the refusal of Moorish officials to allow notarial evidence to be drawn up.

Eight cases were rejected by the sub-commission on principle, notably those connected with *cabotage*, and with claims for compensation on account of the exodus of Europeans from Marrakesh; all similar claims were rejected by the other

sub-commissions. A considerable amount of difficulty was caused by the fact that a number of cases had never been notified to this legation, and that no effective steps have been taken by the claimants at the time, although some of them were in connection with incidents which occurred more than seven or eight years ago.

Amongst the 175 cases were 17 claims for debt. All claims of this nature were rejected by all the sub-commissions. Letters were, however, obtained to the Moorish authorities in the respective districts instructing them to assist the merchants to recover the sums owing to them.

As a matter of fact the period of four months allowed for investigation by the sub-commissions has proved too short, all the more so as the fast of Ramadan fell within the period, during which the members were very loath to work and by no means favourably disposed. Moreover, Zaky Bey, one of our two commissioners, on whose industry and broad-mindedness we specially counted, was scarcely ever available during the presence of Mokri at Tangier, and left with him for Madrid before the termination of the four months. At the same time, I consider the result very satisfactory as regards British claims; and before concluding I would place on record my high appreciation of the patience, tact, determination, and industry shown by Mr. Irwin throughout the negotiations, which have contributed very largely to bringing them to so successful an issue.

I have, &c.
REGINALD LISTER.

[38464] No. 300.

Sir F. Bertie to Sir Edward Grey.—(Received October 22.)

(No. 84.)

(Telegraphic.) P. *Paris, October 21, 1910.*

I SPOKE to M. Pichon to-day, as instructed by your telegram No. 367 of yesterday, in regard to the negotiations between Spain and Morocco. His Excellency said that the conduct of the Spanish Government was most unreasonable and dangerous. He had, he said, spoken to the Spanish Ambassador in Paris yesterday on the subject, when he used language similar to that reported in my telegram No. 80 of the 17th instant, as representing his views on the situation, and pointed out to the Ambassador that the French Government had conducted their negotiations with the Moorish Envoy with patience, though they continued for a protracted period; the Spanish Government, however, were not without justification hustling Moorish Government.

M. Pichon said he concurred in the opinion expressed by Mr. Lister in his telegram No. 57 of the 17th instant, and he feared that the Spanish Government were contemplating making a coup at Ceuta which would result in serious complications. The Spanish Government could not properly claim an indemnity for the unnecessary expenditure which they had incurred on account of their large military expedition. The Moorish Envoy might, however, admit the principle of some payment being made, the amount to be settled by negotiation. The police question might be the subject of an arrangement, but he saw no necessity for the adoption of measures for the protection of Ceuta nor for the establishment of a customs-house at that port. Trade cannot obtain access to the interior from Ceuta, and if a customs-house were established there it would be the means of organising a contraband trade into Moorish territory, and it would entail a loss to the present custom-houses of revenue which forms the security for the Moorish loan. In these circumstances, the French Government could not acquiesce in the Spanish demand.

The French chargé d'affaires at Madrid will be instructed to concert with His Majesty's representative as to the representations to be made to the Spanish Minister for Foreign Affairs, and also as to the advice they should give to the Moorish Envoy. M. Pichon thinks that the two representatives should use similar language, but not quite identic, so as to avoid the appearance of a concerted action between them.

[38465] No. 301.

Sir F. Bertie to Sir Edward Grey.—(Received October 22.)

(No. 85. Secret.)
(Telegraphic.) P. *Paris, October 21, 1910.*

PLEASE see my telegram No. 84 of to-day in regard to the negotiations between Spain and Morocco.

M. Pichon told me this afternoon that when he saw the Spanish Ambassador yesterday he reminded him of the undertaking given by Spain in the Franco-Spanish secret convention of the 3rd October, 1904, that she would not take any action without the consent of France in certain parts of Morocco to which Spain under that convention had reversionary claims recognised by France, and he stated to the Ambassador that the French Government must insist on the observance of that undertaking by Spain.

[38487] No. 302.

Mr. Rennie to Sir Edward Grey.—(Received October 22.)

(No. 51.)
(Telegraphic.) P. *Madrid, October 22, 1910.*

SPANISH-MOORISH negotiations. Your telegram No. 31 of the 20th October.

Sir M. de Bunsen being absent at Barcelona, I went to see the Minister for Foreign Affairs yesterday, who informed me that the negotiations were proceeding fairly satisfactorily.

His Excellency informed me that though the Spanish Government had no intention of breaking off the negotiations, they could not agree to submit to the arbitration of a third Power the principle of a war indemnity for the Riff campaign. I gathered, however, that provided the principle of an indemnity were accepted by the Moorish Ambassador, the latter would not be pressed to pay any excessive sum.

I subsequently saw El Mokri, and pressed upon him the necessity of adopting a conciliatory attitude. I understood that he was prepared to accept the principle of an indemnity at the meeting fixed for this morning, but that he considered the sum of 107,000,000 pesetas, to which the items of expenses amounted was more than the Moorish Government could pay.

He appeared more willing than a few days ago to be generally reasonable.

(Sent to Tangier.)

[38495] No. 303.

Mr. Rennie to Sir Edward Grey.—(Received October 23.)

(No. 52.)
(Telegraphic.) P. *Madrid, October 23, 1910.*

SPANISH-MOORISH negotiations. My immediately preceding telegram of yesterday.

A more conciliatory spirit seems to have prevailed at the meeting held yesterday than on previous occasions. Moorish Ambassador accepted, on behalf of his Government, the principle of a war indemnity for the Melilla campaign. On the discussion that followed as to the amount, Señor Garcia Prieto said he would accept as minimum 85,000,000 pesetas, and suggested the mining tax as guarantee.

The next meeting will be held on Tuesday morning.

(Confidential.)

I am inclined to think, from a remark let drop two days ago by El Mokri's secretary in the course of conversation, that the Moors might be willing to consider the payment of a sum not exceeding 50,000,000 pesetas as indemity.

(Sent to Tangier.)

[39017] No. 304.

Memorandum handed to the French Minister for Foreign Affairs by the Spanish Ambassador in Paris, October 25.—(Communicated by Señor Villa Urrutia to Foreign Office October 25.)

THE ideas of the Spanish Government respecting the customs-house at Ceuta are:—

Its receipts shall be affected in the first place to the payment of employés and frontier police expenses, and if there is any surplus, which is very problematic, at any rate, for some years, it will be included in the revenues destined for the payment of the Riff war indemnity. As guarantee of good administration Spain will intervene in a manner similar to the bondholders of the loan at the port customs.

To conciliate Spanish interests with those alluded to by M. Pichon, we would accept that:—

1. Import and export duties shall be the same as at Tetuan and Tangier, except, of course, in regard to the provisions of article 45 of the treaty of 1861.

2. The Spanish controllers will concert with the delegates of the bondholders of the loan at Tetuan and Tangier in order to determine the certificates or other documents which must accompany merchandise of foreign origin in order to allow its free circulation in the districts which the above-mentioned three custom-houses serve in common.

3. The controllers and the delegates will equally concert (without prejudice to the powers appertaining exclusively to each), in order to arrange or propose who should take uniform measures for the suppression of contraband.

4. If, as a matter of fact, the creation of a custom-house at Ceuta should produce a consistent reduction in the customs receipts at Tangier and Tetuan which might affect the interests of the bondholders of the loan, the Spanish Government will be ready to examine in concert with the Makhzen and the delegates of the bondholders (and in the last instance to submit to arbitration) the question whether the Ceuta customs receipt should contribute towards making up such reduction, provided that if this point is decided in the affirmative, the control will continue to appertain exclusively to the frontier power, and that contributions towards making up the reduction will only be paid from the surplus customs receipts at Ceuta after payment of employés and police.

Once an agreement has been reached as to this formula it could be inserted in the agreement with Mokri.

[38934] No. 305.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 25.)

(No. 53. Confidential.)
(Telegraphic.) P. *Madrid, October 25, 1910.*

SPANISH-MOORISH negotiations.

At the meeting this morning, in reply to the Spanish offer to accept an indemnity of 80,000,000 pesetas, Mokri declared that the Makhzen could not possibly pay more than 25,000,000 pesetas. This proposal Señor Garcia Prieto refused to entertain. Mokri then proposed that the amount to be paid as indemnity should be fixed by The Hague Tribunal, and offered that four-fifths of the revenue eventually payable to the Moorish Government from the Riff mines should form the guarantee for the sum thus fixed.

These suggestions were indignantly rejected by the Spanish Foreign Minister, who wanted to break off negotiations on the spot. However, as the King and Prime Minister were absent at Valencia, he agreed to hold a final meeting on the 27th October, after he had submitted his view of the question to the Council of Ministers. If the Moorish Ambassador then still refuses to accept the Spanish figures, Señor Garcia Prieto intends to break off the negotiations.

The above information was communicated to me by the Spanish Minister for

Foreign Affairs shortly after this morning's meeting. His Excellency also read to me a telegram he was about to send to the Spanish Ambassador in London, instructing him to inform you of the state of the negotiations, and to add that, unless the Moorish Government yield, the Spanish Government will be compelled to enforce compliance by the seizure of the Sierra Bullones. Minister for Foreign Affairs, who spoke in a very irritated tone, declares that the Moorish offer is an insult and the patience of Spain is exhausted.

I deprecated proposed action as likely to lead to complications and to place Spain in a false position in the eyes of Europe. I expressed as strongly as I was able my regret that his Excellency was seriously thinking of acting in direct defiance of the warnings I had so frequently conveyed to him in your name against any forcible action from Ceuta. I declared I could not believe that the Spanish Government, after mature reflexion, would resort to measures of force on the mere question of the figure of the indemnity, especially when the Makhzen had recognised it in principle and had made a formal offer to refer it to The Hague Tribunal.

I trust my words produced some impression, but when I left Señor Garcia Prieto his Excellency was still in a great state of excitement. He said he was convinced that, failing the compliance of the Makhzen, such action as he proposed was inevitable, and that the Spanish Government would have the support of all parties, with the exception of the Republicans.

I have repeated the above to His Majesty's representative at Tangier.

[38936] No. 306.

Mr. White to Sir Edward Grey.—(Received October 25.)

(No. 58.)
(Telegraphic.) P. *Tangier, October 25, 1910.*

WITH reference to the negotiations between Spain and Morocco, I would beg to submit with all diffidence that, instead of the payment by Morocco of a money indemnity, it would be more to the public interest if it could be found possible to arrange a concession of territory in the neighbourhood of Melilla.

It would, I think, be better policy for the Moorish Government to cede a portion of this territory, which there is little chance of Spain evacuating, than to be burdened with an indemnity for which the remaining revenues would have to be assigned as security, thus making it impossible to raise further loans for public works. It would also probably entail Spanish control of the mining tax and other revenues given as security, in the same manner as the French control the customs dues.

[38889] No. 307.

Sir Edward Grey to Sir M. de Bunsen.

(No. 127.)
Sir, *Foreign Office, October 25, 1910.*

THE Spanish Ambassador called at the Foreign Office on the 20th instant and discussed with Sir A. Nicolson the negotiations now proceeding at Madrid between the Spanish and Moorish Governments.

The three points at issue are the questions of the police force, the custom-house at Ceuta, and the indemnity for the cost of the military operations near Melilla. With regard to the first, the French Government, who probably derive their information from El Mokri, state that the two parties had come to terms on the basis of the establishment of a police force under Spanish officers on the Ceuta frontier, but that subsequently the Spanish Government had desired to extend the radius of action of this force to various parts of the Anjera district, an expansion of the original agreement which El Mokri had declared himself unable to accept.

On the other hand, Señor de Villa Urrutia stated that his Government had never changed their attitude. They had arranged originally with El Mokri that the police force should have a radius of action beyond the frontier, and he had subsequently wished to restrict the radius to the frontier. The two statements are clearly conflicting.

Sir A. Nicolson observed that if he were a Spaniard he would hesitate to wish for a police force in the wilds of Anjera, but that a compromise on this point ought not to be difficult.

As regards the Ceuta custom-house, Sir A. Nicolson gathered that questions at issue had not yet been seriously tackled. It may be the French Government who are the real cause of the difficulty, and it is possible they may have prompted El Mokri to be obstructive, though Sir A. Nicolson did not of course suggest this to the Ambassador.

Señor de Villa Urrutia stated that the Spanish Government had informed El Mokri that if he would come to terms on the questions of the police force and the custom-house and accept the principle of an indemnity they would not make difficulties as to the amount. El Mokri had offered to submit the question of the indemnity to the arbitration of His Majesty's Government, who would fix the amount. This the Spanish Minister for Foreign Affairs had refused, and El Mokri had been told that unless he made some alternative proposal as to the indemnity on the 22nd instant the negotiations would cease.

Sir A. Nicolson strongly deprecated any hasty action, and expatiated at some length on the necessity of inexhaustible patience when dealing with Moors. He begged the Ambassador to ask his Government not to close the door abruptly, and added that, with patience and a little judicious handling, he personally saw no reason to despair of a successful issue. Señor de Villa Urrutia promised to repeat Sir A. Nicolson's remarks to the Minister for Foreign Affairs.

I am, &c.
E. GREY.

[38951] No. 308.

Mr. White to Sir Edward Grey.—(Received October 26.)

(No. 221.)
Sir, *Tangier, October 20, 1910.*

WITH reference to my despatch No. 203 of the 21st ultimo and Mr. Lister's despatch No. 216 of the 8th instant, I have the honour to transmit herewith copy of a letter addressed by the diplomatic delegates on the Comité spécial des Travaux publics to the doyen, enquiring whether the proposal made by the Société marocaine des Travaux publics to construct all the lighthouses provided for in the programme of public works simultaneously instead of spreading them over a period of five years constituted a modification of that programme as approved by the Makhzen and by the corps diplomatique. I also transmit copy of an extract from the *procès-verbal* of the meeting of the committee when the question was discussed.

The president of the committee stated that the Makhzen considered that the optical apparatus of the lighthouses could be contracted for by private arrangement, but that the buildings should be put up to public tender.

This view was opposed by the State engineer, who suggested that the whole of the works should be included in one contract to be given out by private arrangement, with the proviso that the contractors should be obliged to invite tenders for the construction of the buildings under their supervision and on their responsibility.

The French Minister, as acting doyen, communicated these documents to his colleagues, without, however, himself expressing any opinion on them. The German, Belgian, Dutch, Portuguese, and Russian chargé d'affaires also expressed no opinion on them. The Spanish chargé d'affaires stated that, although he considered the proposal constituted a modification of the programme, he had no objection to it. The American Minister concurred. The Austrian Minister expressed the opinion that, if the contractors agreed to payment by annual instalments and the cost was not increased thereby, the proposal was advantageous, and did not in any way constitute a modification of the programme. The Italian chargé d'affaires stated that he was referring the point to his Government.

Not wishing to express any opinion before receiving your observations on the above-mentioned despatches, I stated, in my annotation, that as the programme had been communicated to His Majesty's Government, I could not well accept any modification without first submitting it to you; I added that I desired also to submit to you the important question of principle raised in the *procès-verbal* regarding the granting of contracts by private arrangement.

I have, &c.
HERBERT E. WHITE.

Enclosure 1 in No. 308.

Diplomatic Delegates to Dean of Diplomatic Body.

Tanger, le 19 *septembre*, 1910.

M. le Doyen,

PAR sa lettre en date du 15 août dernier, M. le Ministre des États-Unis, doyen du corps diplomatique, a bien voulu transmettre au Comité spécial des Travaux publics une demande de la Société marocaine des Travaux publics par laquelle cette société propose au comité de procéder sans délai à la construction de tous les phares prévus au programme de la Caisse spéciale au lieu d'en échelonner la construction sur cinq années. Cette proposition a reçu l'adhésion des membres chérifiens de notre comité.

Certains d'entre nous se sont demandé si elle ne pourrait pas constituer une modification au programme voté par le comité et approuvé par le corps diplomatique et le Makhzen. Ils ont demandé que le corps diplomatique fût consulté à ce sujet.

Nous venons donc, M. le doyen, prier votre Excellence de vouloir bien saisir le corps diplomatique de la question, et de nous faire connaître si, dans l'opinion de vos honorables collègues, la proposition soumise au comité spécial est une dérogation au programme précédemment arrêté, ou si elle ne doit être considérée que comme une modification dans les modalités administratives de l'exécution dudite programme.

LICHTERWELDE.
F. SCHELLENS.
BUKUWKY.
M. DE FUIGEROLA FERRETTI
CHARLES A HENRY.

Enclosure 2 in No. 308.

Extract from Procès-verbal of Sitting of the Comité spécial des Travaux publics, held September 21, 1910.

CONSTRUCTION DES PHARES.

LE président fait connaître que les délégués européens au comité consultant actuellement le corps diplomatique au sujet de la question des phares, il croit devoir donner au comité le point de vue du Makhzen sur cette question.

Le Makhzen pense qu'en principe il y a lieu de pourvoir à la fourniture des appareils par marché de gré à gré, après concours.

Quant à la construction des tours et bâtiments, elle pourrait faire l'objet d'une abjudication ordinaire. M. Porché fait observer que, sous cette form, la réalisation de l'affaire présenterait de grosses difficultés pratiques.

En effet, dans un phare l'appareil optique et le bâtiment sont étroitement dépendants l'un de l'autre, et il est important que leur établissement mette en jeu la responsabilité d'une seule et même personne; aussi les constructeurs d'appareils optiques sont-ils outillés en même temps pour construire les bâtiments, et très souvent cet ensemble de travaux fait-il l'objet d'une même et seule entreprise; sans doute, dans les services européens, où le budget permet d'avoir un nombreux personnel, on sépare parfois les deux ordres de travaux, et l'unité de responsabilité est placée sur la tête d'un agent de l'administration, spécialiste particulièrement expérimenté, qui dirige sur place les travaux de bâtiment et le montage des feux.

Il semble bien difficile au service des travaux publics marocain, qui vient à peine d'être créé de pouvoir s'adjoindre à la fois plusieurs agents, à traitement nécessairement élevé, et qu'il faudrait licencier après l'exécution des travaux.

Dans ces conditions M. Porché indique une solution qui paraît concilier à la fois le point de vue du Makhzen et les possibilités pratiques.

Ce serait de comprendre dans le même concours la fourniture et le montage des appareils, ainsi que la construction des bâtiments, mais en imposant à l'entrepreneur général choisi à la suite de ce concours, l'obligation de mettre en adjudication publique les travaux des bâtiments sur la base des projets acceptés audit concours.

L'adjudication serait passée dans les formes ordinaires, mais l'entrepreneur

général, étant responsable de la construction des bâtiments, aurait la faculté de présenter au bureau d'adjudication toutes observations qu'il jugerait utiles.

L'entrepreneur général dirigerait, sous le contrôle de l'administration, les travaux de bâtiments exécutés par les adjudicataires partiels; il en serait seul responsable vis-à-vis de l'administration, et recevrait pour ses frais de surveillance et pour cette responsabilité un tant pour cent sur le montant des travaux.

Cette méthode, qui est souvent appliquée dans des cas analogues, est à la fois économique et pratique.

Elle se concilie, d'ailleurs, avec l'interprétation la plus étroite de l'Acte d'Algésiras.

M. le Comte Bukuwky demande alors si on a l'intention d'ouvrir le concours séparément pour chaque phare ou pour tous les feux à la fois.

M. Perché pense beaucoup plus pratique et plus économique d'appliquer la seconde solution. La division du concours conduirait à multiplier les entreprises, et par conséquent à en accroître considérablement les frais généraux, notamment les frais d'études et de surveillance, chaque entreprise étant ainsi obligée d'envoyer du personnel au Maroc pour chaque phare; elle accroîtrait aussi le délai d'exécution, ainsi que les difficultés et les dépenses de surveillance par l'administration. A tous ces points de vue, l'unité constitue la bonne méthode; au reste, le corps diplomatique en arrêtant un programme de travaux échelonnés de 1910 à 1914, c'est-à-dire en cinq années, ne paraît pas avoir eu en vue de reculer la date de construction de tel ou tel phare; ces considérations s'effacent si on confie après concours le travaux à une entreprise qui les exécutera simultanément et sera payée par annuités; on aura ainsi le double avantage d'avoir les phares plus vite tout en chargeant moins le budget de la Caisse spéciale. La modification au programme n'est qu'apparente. L'esprit n'en est nullement changé.

Le président clôt le débat en faisant connaître que pour le moment il a simplement voulu exposer le point de vue du Makhzen.

Les délégués européens déclarent qu'ayant saisi le corps diplomatique de la question, ils ne peuvent qu'attendre la décision de cette assemblée.

[38997] No. 309.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 26.)

(No. 54. Confidential.)
(Telegraphic.) P. *Madrid, October* 25, 1910.

SPANISH-MOORISH negotiations. Telegram from Tangier No. 58 of to-day and your telegram No. 33 of the 21st instant.

I asked Moorish Ambassador yesterday, bearing in mind the suggestion made in your confidential telegram, whether it might not be possible to find ground for an agreement in a cession of territory in the neighbourhood of the Spanish fortresses. El Mokri rejected this idea, pointing out that the tribes would forcibly resist any such cession. On the other hand, he said, the tribes would accept a money payment without any excitement, regarding it as a matter which did not concern them directly.

Nevertheless, I will mention this suggestion to Señor Garcia Prieto before to-morrow's Cabinet meeting. His Excellency informed me to-day that he had made proposals at Paris which he hoped might disarm French opposition to the Ceuta customs-house.

I have repeated the above to His Majesty's representative at Tangier.

[38934] No. 310.

Sir Edward Grey to Sir M. de Bunsen.

(No. 36.)
(Telegraphic.) P. *Foreign Office, October* 26, 1910.

SPANISH-MOORISH negotiations.

I have told the Spanish Ambassador, who communicated to me the views of his Government, that I was very apprehensive of the possible results of Spanish action in Morocco, the outcome of which might be serious disturbance. I used to him similar language to that used by you to the Spanish Minister for Foreign Affairs, as reported

in your telegram No. 53, but said that it was not the business of His Majesty's Government to interfere with Spain in Morocco.

He maintained that if Spain agreed to the question of the indemnity being referred to The Hague for arbitration her influence in Morocco would be lost for ever. Spain, he said, would not have any trouble with the Moors if they did not receive support from France. I observed that Spain had had a lot of trouble with the Moors in the Melilla business, though they had not had any such support from France, and that the present affair might turn out to be far more serious still.

[39034] No. 311.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 27.)

(No. 55.)
(Telegraphic.) P. *Madrid, October 26, 1910.*

SPANISH-MOORISH negotiations.

El Mokri has sent in to-day to the Spanish Minister for Foreign Affairs a detailed statement of the points to which the Maghzen have agreed. He offers in conclusion to guarantee that no strategic works shall be erected on the heights commanding Ceuta which would endanger the security of the town.

Moorish Ambassador then points out that the only important question remaining unsettled is that of the war indemnity. The Maghzen have reached the utmost limit of concession in offering to pay 25,000,000 pesetas; which with the charges for Casa Blanca would amount to about 30,000,000. If Spain persists in rejecting this offer, his Excellency is prepared to submit the matter to the arbitration of The Hague Tribunal.

With regard to the Ceuta customs-house, the Maghzen are prepared to consent subject to the approval of the holders of the loans of 1904 and 1910.

Mokri has communicated to me a translation of this document, which I will duly forward to you.

French chargé d'affaires tells me that this communication has produced a favourable impression of the Spanish Foreign Minister, who is also considering the suggestion I put forward as to a portion of the money payment being remitted in exchange for possible territorial equivalents.

I have repeated the above to His Majesty's representative at Tangier.

[39026] No. 312.

Sir Edward Grey to Sir M. de Bunsen.

(No. 126.)
Sir, *Foreign Office, October 27, 1910.*

THE Spanish Ambassador called at the Foreign Office on the 24th instant, and gave Sir A. Nicolson the following information with regard to the negotiations between Spain and Morocco:—

The Spanish Government were ready to accept an indemnity of 85,000,000 pesetas on the security of the mining tax in the Spanish sphere of influence. In regard to the customs-house at Ceuta, they were informing the French Government that they were ready: (1) to establish there exactly the same duties as were levied at other ports of entry in Morocco; (2) to arrange with France as to the best means of preventing contraband in the Anjera district; and (3) to consult with France as to the organisation of the proposed customs-house.

Sir A. Nicolson gathered that the Spanish Government were not disposed to affect the revenue of the Ceuta customs-house to the service of the loans.

The Ambassador stated that in consequence of a telegram which he dispatched after his last interview with Sir Arthur, his Government would not break off negotiations.

I am, &c.
E. GREY.

[38362] No. 313.

Sir Edward Grey to Mr. Carnegie.

(No. 451.)
Sir, *Foreign Office, October 27, 1910.*

THE French Ambassador called at the Foreign Office on the 21st instant, and read to Sir A. Nicolson a telegram and a despatch from M. Pichon giving the views of the French Government on the negotiations between Spain and Morocco, and the observations made in a friendly manner to the Spanish Ambassador in Paris.

M. Pichon is perturbed at the possibility of a conflict in the Anjera district, and of an advance by Spain to Tetuan. The Sultan, he remarks, is comparatively indifferent as to what may occur in the semi-independent wild region of the Riff round Melilla, but Sultan, Government, and people would view with a very different eye what occurred in the Anjera district and the neighbourhood of Tetuan. Any military operations in those regions might lead to a general holy war, and would certainly cause much unrest and disturbance in the neighbourhood and round Tangier, thus necessitating military precautions on the part of those responsible for the maintenance of order in the vicinity of the diplomatic capital, and any attempt on the part of Spain to reach Tetuan, or any aggressive measures by her in the Ceuta district would, in fact, entail most serious consequences, and every effort should be made to obtain a peaceful and satisfactory arrangement between Spain and Morocco.

M. Pichon considers the indemnity asked for by Spain to be most exaggerated; but on his observing this to the Spanish Ambassador the latter replied that the figures mentioned represented the expenses incurred by Spain, and did not cover the indemnity, the amount of which had not been settled. The press, the Ambassador continued, had given erroneous impressions. M. Pichon explained to the Ambassador the objections to a customs-house at Ceuta, as its establishment would gravely affect the revenues of some of the ports which were pledged to the service of the loans. The Ambassador appears to have avoided discussing this question.

In his despatch to M. Cambon, M. Pichon pointed out that by the secret treaty of 1904 between Spain and France the former could take no military action in the Spanish sphere without the previous consent of France. He said further that the Makhzen had already made considerable concessions to Spain in the Riff district, and would be prepared to go even further, and grant a territorial concession in that quarter. Moreover El Mokri had been empowered to offer a rectification of the neutral zone round Centa. M. Pichon is anxious to do all that is possible to bring about a satisfactory arrangement, and he thinks that the two above-mentioned concessions should go a long way towards satisfying the *amour-propre* of Spain and calming public opinion in that country.

Sir A. Nicolson asked M. Cambon whether the French Government would have any objection to the establishment of a customs-house at Ceuta if Spain agreed to devote its receipts to the service of the loans. M. Cambon said he presumed his Government would have no objection.

I am, &c.
E. GREY.

[39157] No. 314.

Sir M. de Bunsen to Sir Edward Grey.—(Received October 28.)

(No. 56. Confidential.)
(Telegraphic.) P. *Madrid, October 27, 1910.*

SPANISH-MOORISH negotiations.

Moorish Ambassador's letter to the Minister of State, referred to in my immediately preceding telegram of yesterday, has opened the door to further negotiation, and a much quieter disposition prevails to-day in the Spanish Ministry of Foreign Affairs. Señor Garcia Prieto is in consultation with the military authorities regarding a territorial cession in the Riff and rectification of the boundary zone of Ceuta to replace the Spanish demand for a full money payment.

Nevertheless, the Minister for Foreign Affairs insists that the actual money payment must be much more than the 25,000,000 pesetas which Mokri offered. He

also maintains that the rectification of the Ceuta zone must not be thought to imply any withdrawal of the demands of Spain with regard to the frontier police and the Ceuta customs-house. He has postponed the next meeting with Moorish Ambassador till the 29th October.

In opinion of Señor Garcia Prieto, a liberal cession of territory in the neighbourhood of Ifni would be preferable to a cession of territory already in Spanish occupation in the Riff.

I have repeated the above to His Majesty's Minister at Tangier.

[39307] No. 315.

Mr. White to Sir Edward Grey.—(*Received October* 28.)

(No. 59.)
(Telegraphic.) P. *Tangier, October* 28, 1910.

I UNDERSTAND from Sir M. de Bunsen's telegram No. 56 that Spain considers that she ought to receive an important portion of territory as well as a reduced indemnity, whereas the suggestion in my telegram No. 56 was that the cession of territory should take the place of any indemnity whatever, so as to avoid Spanish control of the Mining Tax.

Instead of territory near Melilla, as I suggested, they desire concessions at Ceuta and Ifni. Excuses for postponing evacuation of territory now held could always be found, so that they would presumably keep that also.

The Spaniards have never occupied Ifni, which was ceded to them in October 1883 for a fishing establishment only; if, however, they should establish a settlement there and open trade relations with the interior, it is bound to have an injurious effect on the interests of merchants in the southern ports of Morocco.

[39294] No. 316.

Sir Edward Grey to Sir M. de Bunsen.

(No. 38.)
(Telegraphic.) P. *Foreign Office, October* 28, 1910.

NEGOTIATIONS between Spain and Morocco.

I understand that El Mokri is ready to propose to Spanish Government an extension of neutral zone at Ceuta, so as to include Sierra Bullones and a territorial concession near Melilla.

Please impress on Mokri at the earliest opportunity that he should convey these proposals to Spanish Government. They ought to facilitate greatly the conclusion of an arrangement satisfactory to both parties.

Your French colleague will probably receive instructions from Paris in the same sense, and you should concert with him.

[39440] No. 317.

Sir M. de Bunsen to Sir Edward Grey.—(*Received October* 29.)

(No. 57. Confidential.)
(Telegraphic.) P. *Madrid, October* 29, 1910.

SPANISH-MOORISH negotiations. My telegram No. 56 of the 27th October and your telegram No. 38 of yesterday.

Before the meeting to-day Mr. Rennie spoke to the Moorish envoy in the sense of your telegram.

El Mokri subsequently informed me that a more conciliatory spirit had prevailed at to-day's meeting. After a long discussion on the Spanish refusal to accept an indemnity of 25,000,000 pesetas, Señor Garcia Prieto reduced his demand to 65,000,000. The Moorish offer was eventually raised to 33,000,000, guaranteed by the Riff mines.

Next meeting was arranged to take place on Tuesday, when the means for

adjusting the difference, viz., 32,000,000 pesetas, will be discussed. El Mokri suggests the amount should either be accepted by the Makhzen with powers to discuss guarantees subsequently, or should be made up some other way, no doubt alluding to the idea of a territorial cession.

I have repeated the above to His Majesty's Minister at Tangier.

[39576] No. 318.

Sir M. de Bunsen to Sir Edward Grey.—(*Received October* 31.)

(No. 142. Confidential.)
Sir, *Madrid, October* 27, 1910.

WITH reference to my telegram No. 55 of the 26th October, I have the honour to forward herewith a French translation, communicated to me yesterday by El Mokri, Moorish Ambassador, of the letter to the Spanish Minister for Foreign Affairs, in which his Excellency has summed up the results hitherto attained in his negotiation with the Spanish Government, and declared his readiness to sign, *ad referendum* to the Makhzen, a document recording the extent of the agreement reached between the two parties.

In this letter El Mokri states that he has conceded the following points:—

Two high commissioners for the region of the Riff, in Spanish occupation, and for the tribes facing the Spanish fortresses at Alhucemas and Peñón de Vélez, to be nominated respectively by the Makhzen and by the Spanish Government, with full powers to settle disputes and to appoint the subordinate kaïds.

A native police force of 1,250 men, with Spanish officers, to act under the orders of the said high commissioners.

Reopening of Melilla custom-house, also under the direction of the high commissioners, the duties, increased by 2½ per cent., being assigned to maintenance of the above-mentioned police force and to local public works.

Kaïd of Ceuta frontier zone to be of high rank, the zone being policed by a Makhzen force of 250 men under Spanish officers.

No strategic works to be erected threatening security of Ceuta. This is a new proposition, not yet put forward in the negotiations.

Assent to establishment of a custom-house on the Ceuta boundary must be subject to concurrence of the holders of the 1904 and 1910 loans.

Though not strictly due, his Excellency consents to a war indemnity of 25,000,000 pesetas, or 30,000,000 pesetas if the charges for the Spanish troops at Casa Blanca and in respect of military operations at Alhucemas and Peñón de Vélez be included; such payment not to imply recognition of responsibility, and not to exceed the limited financial resources of the Makhzen. Failing acceptance by Spanish Government, his Excellency proposes reference to The Hague Tribunal, which will fix the precise sum due.

I am forwarding a copy of this despatch and its enclosure to His Majesty's Minister at Tangier.

I have, &c.
MAURICE DE BUNSEN.

Enclosure in No. 318.

El Mokri to Spanish Minister for Foreign Affairs.

(Traduction.)
(Après les compliments d'usage.)

VOTRE Excellence n'ignore pas les facilités et les satisfactions que j'ai prises comme ligne de conduite depuis le commencement des négociations jusqu'à ce jour. Mon grand désir en tout cela a été d'arriver à un accord définitif entre les deux parties.

Je vous ai accordé les satisfactions suivantes:—

En premier lieu, la nomination de deux hauts commissaires dans les points occupés du Rif et dans les tribus des Beni Ouriaghel, Tomman, et Boukouya, situées en face des îles d'Alhucemas et Peñón de Vélez, bien que ces trois tribus n'aient aucun rapport avec les régions occupées dans le Rif. Ces deux hauts commissaires,

dont l'un est désigné par le Maghzen et l'autre par le Gouvernement espagnol, seront munis de pleins pouvoirs pour trancher les litiges et soumettre d'un commun accord à l'agrément du Maghzen la désignation des caïds et des fonctionnaires dans la région occupées et dans les trois tribus susindiquées.

En second lieu, l'organisation d'une force de police maghzénienne, dont le nombre serait de 1,250 hommes, et qui aurait pour instructeurs des officiers et sous-officiers espagnols dans les conditions prévues au règlement de la police des ports. Cette force serait placée sous la direction des deux hauts commissaires.

En troisième lieu, la réouverture immédiate de la douane de Melilla en la plaçant sous le contrôle des deux hauts commissaires, et en augmentant les droits de 2½ pour cent. Les droits et cette augmentation seront affectés à l'entretien de la force maghzénienne et aux travaux publics qui seront exécutés dans la région frontière de Melilla.

De même, j'ai accepté que le caïd mentionné à l'article 4 de la convention de 1894 concernant la frontière de Ceuta soit choisi désormais parmi les notables des fonctionnaires chérifiens offrant toutes les garanties nécessaires et après à nouer des relations de sincérité avec les autorités de Ceuta. Le Maghzen notifie sa nomination aux autorités de Ceuta ainsi que sa révocation.

J'ai accepté aussi qu'une force de 250 askars chérifiens instruits par des officiers et sous-officiers espagnols soit chargés de la garde de la frontière.

Je suis également prêt à vous offrir que le Maghzen chérifien s'engage à ne pas élever des ouvrages stratégiques présentant un danger pour la ville de Ceuta ou menaçant sa sécurité.

En ce qui concerne l'ouverture d'une douane à la frontière de Ceuta, le Maghzen subordonne son acceptation au consentement des porteurs de titres de l'emprunt 1904 et 1910.

Toutes ces satisfactions ont été accordées dans un but de conciliation; elles ne se trouvaient pas en effet mentionnées dans les conventions et les traités conclus antérieurement entre les deux pays.

Le Maghzen a tenu à confirmer au Gouvernement ami son désir de lui donner satisfaction en considération des rapports de voisinage.

Quant au paiement d'une indemnité de guerre, vous savez que le Maghzen, avant l'incident qui amena la campagne militaire, avait indiqué les dangers que présentaient les travaux entrepris dans le Rif contrairement aux stipulations de l'Acte d'Algésiras.

De même, au début de la campagne il avait dégagé toute responsabilité par les lettres adressées à votre Gouvernement glorieux. Cependant, afin de ne pas se départir de son attitude conciliante le Maghzen a accepté d'accorder une indemnité dans les deux réserves suivantes:—

D'abord, que cette acceptation n'implique pas de sa part la reconnaissance de sa responsabilité et, enfin, que le montant de cette indemnité soit proportionné aux ressources financières très limitées du Maghzen. Sa Majesté chérifienne ne peut en effet prendre un engagement qu'elle se trouverait dans l'impossibilité matérielle d'exécuter, sans consommer la ruine du pays et la paralysie complète de tout développement économique dans son pays.

C'est pour ces motifs que nous n'avons pu offrir une somme supérieure à 25,000,000 de pesetas espagnols. Ce qui, avec les indemnités relatives à Casablanca, Alhucemas, et Peñón de Vélez, porte la somme total à environ 30,000,000.

En ce qui concerne la garantie de cette indemnité, le maximum que le Maghzen peut y affecter est les quatre cinquièmes de la part revenant au Maghzen dans les mines du Rif, conformément au règlement minier indiqué à l'article 112 de l'Acte d'Algésiras.

Etant donné que votre Excellence n'a pas cru devoir accepter ce que je lui ai offert et tenir compte des raisons que je lui ai exposées, je lui propose de porter la question de l'évaluation de l'indemnité de guerre—seul point qui reste actuellement à discuter—devant le Tribunal de La Haye, qui a été institué pour régler les difficultés de guerre.

Convaincu que l'Espagne est parmi les nations les plus intéressées au bien du Maghzen chérifien et de ses sujets, j'ai le ferme espoir que votre Gouvernement saura apprécier les satisfactions consenties par le Maghzen et indiquées ci-dessus, et qu'il estimera que c'est là le maximum de l'effort que peut faire le Maghzen.

Je suis prêt, si cela vous convienne, à rédiger tout ce qui a été arrêté entre nous au cours des négociations et à le signer *ad referendum*.

[39928] No. 319.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 2.)

(No. 58. Confidential.)
(Telegraphic.) P. *Madrid, November 2, 1910*

SPANISH-MOORISH negotiations. My telegram No. 57 of the 29th October.

At meeting yesterday business was confined to drawing up protocol of points agreed upon concerning the policing of the districts round Ceuta and Melilla.

At the meeting to-day, Señor Garcia Prieto put forward the following territorial demands, which he stated the Spanish Government must insist upon unless the Moorish Ambassador could make some further advance on his offer of 33,000,000 pesetas:—

1. At Ceuta, the whole region between Cape Ciris and Fenedak, including the mountains of the surrounding district.
2. At Ifni, a cession of territory northwards to Wady Massa.

El Mokri offered an extension of territory round Melilla, but this was refused. Moorish Ambassador then asked for time to consider these demands.

El Mokri informs me, in confidence, that he still prefers a monetary indemnity to a territorial cession. He says he will endeavour at the next meeting, which takes place to-morrow evening, to meet the Spanish demands half way by offering to pay about 50,000,000 pesetas, guaranteed by half the royalty on the new mining tax throughout the whole of Morocco.

(Sent to Paris and Tangier.)

[40018] No. 320.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 3.)

(No. 143. Confidential.)
Sir, *Madrid, October 27, 1910.*

MY recent telegrams will have sufficed to make it clear that the negotiation between El Mokri, Moorish Ambassador, and the Spanish Government reached on the 25th instant a very critical stage.

In the course of these proceedings I have endeavoured to hold language to both parties conforming exactly to the instructions you have had the goodness to send me. To El Mokri himself I have submitted the view that it is desirable to spare Spanish susceptibilities as far as possible, and that a very moderate and conciliatory attitude on his part would be best calculated to bring about the desired result. When his Excellency asked my opinion on the question of a Melilla war indemnity, I replied that I could not say what His Majesty's Government would think on the subject, but that, speaking quite personally, I was not able to share the view which I understood was held by the Makhzen, that no pecuniary indemnity at all was due to Spain. I have since ascertained that this purely personal judgment is shared by the French Embassy at Madrid.

I am, of course, ready to admit that I may have been unconsciously influenced by the Spanish argument on this point. Spaniards agree that the circumstances which led to the Melilla expedition were not precisely similar to those which induced the French to send a force to the Showia country. They justify the former by pointing to the state of anarchy which prevailed outside the gates of Melilla; to the continued failure of the Makhzen to keep the treaty engagements (1860, 1894, and 1895), binding them to maintain a force outside Melilla sufficient to preserve the peace in those regions; to the forcible interruption by the tribes of the Spanish works in connection with the Riff mines and railway, enterprises which, though as yet unconfirmed at Fez, had received the sanction of the *de facto* authority for the time being, namely the Roghi. The above circumstances combined to produce a state of things wholly intolerable, and calling inevitably for forcible intervention on the occurrence of an incident such as the massacre of the Spanish navvies engaged on the railway.

Whatever weight there may be in the above considerations, they are regarded as conclusive by all Spaniards who pay any attention to foreign affairs, and it is not easy

to secure a hearing for the argument put forward by the Makhzen that the Spanish expedition stands on a footing so different from the French expedition that while the latter justified the exaction of 80,000,000 fr. as a war indemnity, the former involves the Makhzen, notwithstanding their treaty engagements, in no responsibility whatever.

Though aware of the deeply-rooted Spanish feeling on this point, I have endeavoured, in accordance with my instructions, to convince Señor Garcia Prieto, in the language of Mr. Lister's telegram to you, No. 57 of the 17th instant, that the Spanish view of the matter is seriously called in question abroad, and that the liability of the Makhzen to pay a war indemnity is far from being accepted by many impartial judges, even on the assumption, which remains to be proved, that it would be materially possible for the Makhzen to raise any further loans without crippling in a hopeless manner their few remaining resources.

When I made these representations the Moorish Ambassador had already seen his way to admitting the principle of a war indemnity of limited amount. My argument was therefore chiefly directed towards inducing the Spanish Foreign Minister to abstain from undue pressure, in view of the known destitution of the Moorish Government. Mr. Rennie, councillor to His Majesty's Embassy, had already spoken, both to El Mokri and Señor Garcia Preto, in the sense of your instructions, during my short absence at Barcelona.

At my interview with the Foreign Minister, reported in my telegram No. 53 of the 25th October, I found His Excellency in a highly irritated frame of mind against El Mokri, who had just declared, as his last word, that positively the outside figure he could offer in respect of the Melilla campaign was 25,000,000 pesetas, and that, failing acceptance by Spain, he must ask for his farewell audience, having reached the utmost limit to which his powers extended. Though his Excellency added an offer to refer the war indemnity in dispute if necessary to The Hague Tribunal, Señor Garcia Prieto had taken great offence at what he regarded as the uncompromising attitude of the Moorish envoy. Fortunately calmer counsels have since prevailed, but at the time the Minister for Foreign Affairs was evidently contemplating a rupture followed by the enforcement of the Spanish claim by means of an armed occupation of the Sierra Bullones, or Apes Hill, overlooking Ceuta. I deprecated as strongly as I could the employment of force, especially in a region adjacent to Tangier, for the recovery of a sum which it might well be argued that the Makhzen was incapable of raising. Such violent courses would be the less open, I said, to satisfactory explanation in view of the fact that the Moorish envoy had accepted the principle of a money payment, and had offered to refer the question of the amount due to the decision of The Hague Tribunal. The French chargé d'affaires has also spoken in the same sense.

I learn from your telegram No. 36 of the 26th instant that you have since held similar language to the Spanish Ambassador in London.

Meanwhile, the suggestion which you had the goodness to make to me in your confidential telegram No. 33 of the 21st instant, and which I conveyed to Señor Garcia Prieto semi-officially, and as coming from myself, on the 26th instant, has undoubtedly facilitated the resumption of the negotiation. It was to the effect that the portion of the Spanish demand for a war indemnity which could not be met by a money payment might possibly be satisfied instead by means of a cession of territory at Melilla, and of a rectification of the zone outside Ceuta.

Señor Garcia Prieto thanked me in a private letter for this friendly hint, which he promised to communicate to the Prime Minister and Cabinet Council.

His Excellency subsequently sent to me Señor Hontoria, chief of the diplomatic department of the Ministry of State, who explained confidentially how the matter was viewed by the Minister for Foreign Affairs. He said the idea was entirely approved by his Excellency subject to the following important limitations :—

1. The money payment of 25,000,000 already offered must be considerably augmented.

2. The rectification of the Ceuta zone must not be held to invalidate in the slightest degree the Spanish demands in respect of a native police force under Spanish officers to keep the peace outside Ceuta—a demand already conceded by El Mokri—and in respect of a custom-house to be established on the outside limit of the rectified zone.

3. Cession of territory near Melilla might be advantageously replaced by a cession, in excess of what was already agreed to by the Makhzen, in the neighbourhood of Ifni on the Atlantic coast opposite the Canary Islands. In this region Spain

desires to extend her possessions from Ifni northwards to the extreme limit sanctioned by article 4 of her secret treaty with France of October 1904.

I said it was too early to discuss details, even if it fell within my province to do so, but that, unless great moderation were shown by Spain in this new phase of the negotiation, I was afraid agreement would be very difficult.

Señor Hontoria, who in point of fact is the principal expert on the Moroccan question in the Spanish Foreign Office, proceeded to hold forth to me on the text of French encroachments in Morocco. The Sultan, he said, was a puppet in the hands of France, the Makhzen mere dummies controlled from Paris; El Mokri, the humble servant of the French Embassy in Madrid. The protectorate of France over Morocco was all but complete, and when the country fell like a ripe pear into her mouth, nothing would be left to Spain except her *presidios* and anything else she may have taken by force of arms; for France recognised no other kind of argument put forward by the representatives of Spain. Great apprehension was expressed lest Spanish agents should provoke an incident in the Angera district, but the French officers of the native police force outside Tangier had penetrated across that district to within a few kilometres of Ceuta itself without creating any disturbance. Spain would never feel secure in Ceuta till she held the Sierra Bullones. It was unjust to make her wait for a road to Tetuan and to raise difficulties in the way of a custom-house. Clearly France desired that Ceuta should continue to be virtually an island, cut off from all intercourse with the interior. No nation, except for very weakness, would consent to such isolation. But the gradual advance of the French was not unperceived, and he could assure me that a French advance on Taza would inevitably and immediately provoke a corresponding advance of Spain on Tetuan.

As language similar to this is habitually held in the Spanish Foreign Office, alike whether the Government in power be Conservative or Liberal, I have ventured to trespass on your patience in placing the Spanish views on record. However unreasonable it may appear, it is very widely held in this country, and especially in the army. It is possible at any time that it might lead the country into a rash course of action, and on this ground, if on no other, it seems to me very desirable that a settlement should now be reached which will give a measure of satisfaction to Spanish aspirations in the immediate neighbourhood of Ceuta.

I have, &c.

MAURICE DE BUNSEN.

[40314] No. 321.

Memorandum communicated by M. Daeschner, November 4, 1910.

L'OUVERTURE d'un bureau marocain de douane à Ceuta atteindrait directement les intérêts des obligataires des emprunts 1904 et 1910, emprunts gagés sur tous les revenus douaniers des ports du Maroc. Dans l'état actuel des choses, le commerce international est interdit par le Maghzen entre le port de Ceuta et l'intérieur; les dispositions du traité hispano-marocain de 1861 ne prévoient pas de douane sur ce point et s'appliquent seulement aux transactions locales que comporte l'approvisionnement de la ville. On estime, en effet, que les ports de Tanger et Tétouan sont suffisamment rapprochés de l'Andjera pour desservir cette région. L'installation d'une nouvelle douane détournerait les marchandises de ces deux ports; elle favoriserait leur pénétration dans l'Andjera par les nombreuses criques de cette côte, très découpée et difficile à surveiller, puisque les marchandises, après leur débarquement en contrebande, seraient insaisissables sur les routes de terre, les caravaniers étant supposés avoir passé par la nouvelle douane. Il n'en est pas de même en ce moment: tout commerce d'importation étant prohibé dans la région, les convois qu'on y peut rencontrer sont suspects de fraude et la douane est en droit de les saisir à Tétouan ou dans les tribus voisines.

La modification du régime actuel aurait donc des effets qui dépasseraient le territoire des Andjera en autorisant la circulation vers le sud de toutes marchandises qui auraient pu pénétrer illicitement par cette côte.

Il convient d'ajouter qu'une douane marocaine à la frontière du territoire de Ceuta aurait en réalité le caractère d'une douane maritime, car ses recettes résulteraient à peu près uniquement du trafic international, les produits importés par cette voie provenant non pas du territoire de Ceuta même mais de l'étranger.

Le Maghzen paraît donc fondé à craindre que la mesure projetée lèse les droits de l'Administration de la Dette marocaine. Le Gouvernement de la république pense, de son côté, qu'une douane nouvelle placée à cet endroit pourrait être difficilement représentée comme répondant à des conditions géographiques et comme justifiée par un intérêt économique important. Il espère que le Gouvernement Royal voudra bien reconnaître l'avantage qu'il y aurait à ne pas lier une question de cette nature à des négociations qui ont pour but de régler les difficultés survenues entre l'Espagne et le Maroc, alors que le régime appliqué depuis une cinquantaine d'années, en ce qui concerne Ceuta, n'a pas compromis la sécurité du territoire espagnol. Il est à craindre qu'une pression exercée sur le Maghzen au sujet de cette région risque de soulever de la part du corps diplomatique à Tanger les mêmes objections qu'a motivées le projet d'une route entre Ceuta et Tétouan.

Le maintien du *statu quo* se recommande donc par des considérations sérieuses sur lesquelles le Gouvernement de la république appelle, dans l'esprit le plus amical, l'attention du Gouvernement espagnol.

Ambassade de France, Londres,
le 20 octobre, 1910.

[40191] No. 322.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 4.)

(No. 60.)
(Telegraphic.) P. *Madrid, November 4*, 1910.

SPANISH-MOORISH negotiations.

Following is the outcome of the two last meetings, held yesterday and to-day, between El Mokri and the Spanish Foreign Minister:—

Moorish Ambassador has raised his offer to 60,000,000 pesetas for the war indemnity. Spanish Government will not reduce their demand below 65,000,000. These figures are both exclusive of the 5,000,000 pesetas for Casa Blanca, &c., already conceded. Spanish Government also insist on a considerable territorial concession behind Ceuta to make good the difference of 5,000,000 pesetas. El Mokri refuses to grant any territorial concession whatever.

In conversation with Señor Garcia Prieto, I have repeated the suggestion that a solution of the difficulty might be found in an extension of the neutral zone behind Ceuta, to include the Sierra Bullones. In thanking me for the suggestion, however, his Excellency now maintains that, in view of the range of modern artillery, Spain must hold or control strategic points lying some distance beyond the Sierra Bullones to ensure the security of Ceuta. I pointed out that this argument would raise awkward questions, and I begged his Excellency to submit my suggestion to the Cabinet Council to-morrow as it stood. This the Foreign Minister promised to do, though giving me no hope of its acceptance by the Cabinet. Moorish Ambassador would, I have reason to believe, agree to this solution.

French chargé d'affaires has held generally the same language as myself, and has offered no objection to the proposal. Señor Garcia Prieto thinks danger of rupture is still present, and that negotiation is not going well.

(Sent to Paris and Tangier.)

[35356] No. 323.

Foreign Office to Board of Trade.

Sir, *Foreign Office, November 4*, 1910.

AS the Board of Trade are aware, Mr. R. D. Norton, one of the directors of the Société marocaine de Travaux publics, has requested the support of His Majesty's Government on behalf of the company, and it has therefore become necessary to examine very closely the nature and scope of the latter's proposals. The avowed object of the société is to obtain a monopoly of public works in Morocco, and the decision of His Majesty's Government in the matter is bound to have far-reaching consequences both on British trade and on the internal development of Morocco. In these circumstances Sir E. Grey is anxious to learn the considered views of the Board of Trade on the whole question.

2. In the Foreign Office letter of the 12th ultimo, Sir E. Grey forwarded to the Board certain correspondence relative to the société, including a despatch to His Majesty's chargé d'affaires at Tangier, in which he was instructed to furnish his opinion on the proposals of the company. Mr. White has now reported on the subject, and I am to transmit to you a copy of his despatch, together with certain other papers as marked in the margin.* The first part of Mr. White's despatch deals with the question of the lighthouses, to which special reference will be made later; the second part criticises adversely the larger proposals of the company, and with these criticisms Sir E. Grey is in general agreement.

3. The company plead with some force that, owing to the want of public works, the development of Morocco is at a standstill; that there is no prospect at present of such works being undertaken, in view of the fact that, as nearly all the revenues of the Makhzen have already been hypothecated for the service of various loans, no security will be forthcoming; and that an international syndicate such as the société, backed by the several Governments and ready to wait for some years for a return on their capital, affords the only solution.

It appears to Sir E. Grey, and at an interview at the Foreign Office Mr. Norton admitted, that the monopolistic character of the proposals is contrary both to the letter and to the general spirit of the Algeciras Act, Chapter VI of which was framed for the express purpose of preventing any such monopoly; but the company urge that if all, or nearly all, the Powers signatories of the Act agree that the scheme is to the interest of Morocco, it would be somewhat pedantic to allow the Act to stand in the way.

4. This pleading does not, however, dispose of the difficulty that, even if the several Governments were so far agreed, British subjects have under the Act formally acquired certain rights of which it is proposed to deprive them in the interests of what is really a Franco-German syndicate. The smallness of the British share is, indeed, one of the most important points to be borne in mind in the consideration of the question, and it seems to Sir E. Grey hardly possible for His Majesty's Government to tie their hands by pledging themselves to give exclusive support to the société, and thereby practically prevent British firms outside the syndicate from participating in the execution of public works in Morocco. In any case, no international syndicate of this nature could, in Sir E. Grey's opinion, be entitled to the patronage of His Majesty's Government unless this country were represented in it to the same extent as France, or at least as Germany. But even if the promise of a larger share were secured by the efforts of His Majesty's Government, and if, what is by no means certain, the necessary British capital would be forthcoming for investment in this international concern, there would remain the difficulty of harmonising with the general commercial policy of His Majesty's Government an arrangement by which they would undertake to accord for an indefinite time preferential treatment to a particular group of British capitalists as against any other *bonâ fide* British competitors who may have reasons of their own for not joining the syndicate, or who may never have been given an opportunity for so doing.

5. In this connection I am to call attention to the accompanying memorandum by Mr. Victor Wellesley, commercial attaché for Morocco, and also to Mr. White's observations relative to the readiness of Messrs. Topham, Jones, and Railton to compete for the Tangier harbour concession, which shows that British firms are not indisposed to undertake contracts with Morocco. It is therefore more than ever necessary that His Majesty's Government should act with great caution, as under the present proposals these firms, unless they formed part of the syndicate, would be excluded. Mr. Norton is making confidential enquiries as to the willingness of British capitalists to take up a further allotment in the syndicate. He quite agrees that the present British share in the syndicate is too small, but he has intimated that the directors were prepared to allow a considerable proportion of the orders for material and machinery to go to England, in excess of what would normally be due to a group representing only 6 per cent. of the capital involved. This might to some extent diminish the difficulty, but the suggestion is at present quite vague.

6. At a more recent interview at the Foreign Office, Mr. Norton was accompanied by one of the French directors of the société, who stated definitely that it would be possible to assign a somewhat larger share in the syndicate to British holders and to allow Messrs. Topham, Jones, and Railton to participate in the Tangier harbour

* Mr. Norton, August 28 [31872]; Memorandum by Mr. Norton, September 28 [35546]; Mr. White, No. 203, September 21 [35656]; Mr. Lister, No. 216, October 8 [37388]; Mr. White, No. 221, October 20 [38951]; Memorandum by Mr. Wellesley, October 10, 1910.

works; and he added that in order to keep technically within the terms of the Algeciras Act and the regulations made thereunder, tenders might be called for and adjudicated in the ordinary way, but only after previous agreement between the Governments as to the action of their representatives on the committee of adjudication. Such an arrangement would of course render the adjudication a pure formality, designed to mislead outside competitors. The French director, after alluding to the necessity of public works, and especially the lighthouses, in the interests of Morocco, and the impossibility of obtaining money by other means than under the proposed concession, made two new points to which it is impossible not to attach some weight.

7. The first of these was the political importance of having secured Germany's good-will and co-operation in Morocco. Under the scheme Germany retained the concession for the Larache harbour works, but agreed to withdraw the claim to construct the Tangier harbour. If the scheme came to nothing this and other German claims would be revived, and there might well be a renewal of the political intriguing and mischief-making which characterised German policy in Morocco up to a recent date.

8. The second point was the danger, under ordinary adjudication, of tenderers being secretly subsidised by their own Governments and thus obtaining contracts, as they would be able to offer more favourable terms. This had actually happened in the case of the contract for certain minor road-works near Tangier, which had been awarded to a Spanish firm in receipt of a secret subsidy granted by the Spanish Government for this very purpose.

9. The proposals of the syndicate as regards the construction of lighthouses call for special consideration: firstly, because they have assumed definite shape, having, in fact, already been laid before the Comité spécial des Travaux publics; and secondly, because the manufacture of lighthouse optical apparatus appears to be confined to a very few firms, all of whom are stated to be acting together under the auspices of the syndicate. The papers relative to the matter have been sent from time to time to the Commercial Intelligence Branch of the Board of Trade, and I am now to transmit some further despatches from Tangier ending with Mr. White's despatch No. 221 of the 20th ultimo.

10. The great importance of well-lit coasts to British shipping and the economy which should result from the simultaneous construction of the lighthouses are obvious; but if it is a fact that all the makers of optical apparatus are working together it appears to Sir E. Grey that the syndicate's interests would in no way suffer from the contract being given out by the system of adjudication prescribed by treaty, seeing that there could be no other serious competitors. On the other hand, although Sir E. Grey sees no reason why the syndicate should not in this manner secure the right to erect the buildings, they ought not to complain if, as the Moorish State engineer suggests, they were obliged by the terms of the contract to invite public tenders for the building work.

11. The great difficulty, which Mr. White discusses at length in his despatch No. 203, is the question of the management and maintenance of the lights, and Sir E. Grey agrees with him that this service ought properly to be retained in the hands of the State, and that no concession should be granted to a private company entailing the management and control of the lights for a period which it is at present suggested should extend to ten years, but which in the exceedingly probable event of the Moorish Government not repaying within that time the expenditure incurred by the syndicate would almost certainly be indefinitely prolonged. But on this point it will be necessary to consult the Admiralty.

12. Sir E. Grey does not pretend to have set out exhaustively in the preceding paragraphs all the advantages and disadvantages of the company's proposals, but merely to call attention to certain points which have struck him. The question certainly has a political side in that the interpretation of the Act of Algeciras is involved; but it is mainly commercial, and it is on that ground that I am to invite an expression of the views of the Board in regard to both the general schemes and the lighthouse proposals of the syndicate, and as to the attitude which His Majesty's Government should adopt towards the latter's application for official support.

I am, &c.

W. LANGLEY.

[40192]

No. 324.

Mr. Lister to Sir Edward Grey.—(*Received November* 5.)

(No. 223. Confidential.)

Sir, *Tangier, October* 28, 1910.

THE payment by the Moorish Government of any considerable amount as an indemnity for the expenses incurred by the Spanish Government through their military operations near Melilla would, I fear, be very prejudicial to the general interests of foreigners in this country as well as to the Makhzen, which is already in great financial straits. A loan will have to be raised to enable the Moorish Government to pay off the sums awarded by the Tangier Claims Commission and arbitrators, which the last loan was not sufficient to cover. It is not possible as yet to estimate with any accuracy the amount that will have to be paid on this account, as several of the larger claims have still to be dealt with by the arbitrators, but it will probably reach a high figure.

It was hoped by Cid-el-Mokri that a sufficient sum could at the same time be obtained to enable the Makhzen to undertake certain public works, and to leave a balance in their hands for the needs of Government. It would have been a difficult task in any case to raise such a loan, but if in the meantime the Makhzen's indebtedness is increased by an indemnity to be paid to Spain, and the future mining tax and other sources of revenue remaining free, are pledged to the Spanish Government as security, it is difficult to see how any further loan can be raised for some time to come; the creditors of the Makhzen will be in danger of being kept waiting indefinitely for their money, while the sum to be eventually paid by the Makhzen will be largely increased by the accumulated interest.

A further complication will also be introduced in Government administration by the establishment of a Spanish "Contrôle de la Dette" alongside that of the French, for the Spanish Government will presumably demand the appointment of Spanish controllers in regard to the revenues pledged as security for the indemnity. It is questionable whether such control over the revenues to be derived from mines is desirable.

In view of these considerations, and of the fact that Cid-el-Mokri had found himself obliged to admit the principle of payment of an indemnity, I ventured to suggest that the cession of a portion of the territory near Melilla now occupied by Spain might be offered in lieu of the payment of an indemnity. The Moorish Government should not have much objection to making such concession, as their authority in the Riff has always been slender, and they cannot have much hopes of recovering Cap de l'Eau, the Marchica, and neighbouring district; the Spanish Government on the other hand should be glad to have the district formally ceded to them. I do not think Cid-el-Mokri's fears of disturbances are well founded, as from all accounts the tribesmen appear to have acquiesced in the Spanish occupation, and their leaders have entered into friendly relations with the Spanish authorities.

The suggestion that the territory to be ceded should be at Ifni, instead of at Melilla, appears to me to be open to grave objection. You will remember that in the year 1882 a joint Hispano-Moorish commission visited the southern coast of Morocco in search of Santa Cruz de Pequeña, or, de la Mar Pequeña, ceded to Spain under article 8 of the treaty of the 26th April, 1860, for "the formation thereon of a fishing establishment similar to that which Spain possessed there in ancient times." The search was unsuccessful, which is not surprising, seeing that the commission did not proceed south of Wad Draa, and there seems little doubt that the old Spanish fishing station was at Puerto Cansado, between Wad Draa and Cape Juby. In October 1883, in order to settle the matter, the Moorish Government offered to cede Ifni, which the Spanish Government accepted, the Minister for Foreign Affairs declaring that it would be used solely as a fishing station (see Sir R. Morier's despatch No. 163 of the 23rd October, 1883). Spanish troops were sent to the Canary Islands with a view to occupying Ifni, but, after remaining over a year at Teneriffe, were recalled to Spain in March 1884. Ifni or Port Hilsborough, is situated about 25 miles north of Assaka, which the Sultan Mulai-el-Hassan announced his intention of opening to trade in 1882. Were any extensive tracts of land ceded to Spain at that place for colonisation, a considerable trade would doubtless spring up with the interior, in contraband, if no

custom-house were established there. The results could not but be very prejudicial to the interests of merchants at Mogador and Saffi, to which ports all the trade of the Sus and southern districts is at present directed.

I have, &c.
REGINALD LISTER.

[40194] No. 325.

Mr. Lister to Sir Edward Grey.—(Received November 5.)

(No. 225.)
Sir, *Tangier, October 29, 1910.*

RECENT reports from Alcazar appear to indicate a probability of disturbances in that district, as the relations of the former governor, Rimiki, are said to be stirring up the people to rise against Raisuli, who has been called upon by the Sultan to levy large sums on the tribes, and has become unpopular. Kaïd Rimiki himself was very unpopular as a governor, but he has many partisans and is much feared, as the people feel certain he will return to power, and they are afraid to incur his enmity. His policy is to encourage disturbances, so as to persuade the Sultan that he is the only person who can keep order in the district.

The consular agent in Marakesh reports that there appears to be a general rising in the Sus against the Glawi. It is reported that all the Sus tribes are united, and that the powerful Kaïd Gundafi sympathises with them, and refuses to allow Kaïd Thami-el-Glawi, the Governor of Marakesh, to send troops through his district to the assistance of the forces in the Sus, which are said to have suffered defeat. These reports, however, require confirmation.

The Sultan has recalled his troops which were to have gone to Taza; they were said to have originally numbered 12,000 men, but they returned only 5,250 strong. They were paraded in one of the squares of the Palace and made to deposit their arms and uniforms, which they would probably otherwise have sold. I am told that much discontent is prevalent amongst the troops and their officers, especially against the French instructors, who are considered responsible for these measures.

Mulai-el-Kebir is lodged in the Palace at Fez, in the apartments formerly occupied by Bou Hamara, and was in great fear. The Sultan, however, sent him a suit of clothes and a saddle, and the Algerian secretary of the French consulate called upon him to allay his fears.

I have, &c.
REGINALD LISTER.

[40332] No. 326.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 6.)

(No. 61.)
(Telegraphic.) P. *Madrid, November 6, 1910.*

SPANISH-MOORISH negotiation.

Council of Ministers are not satisfied with the suggestion to extend the neutral zone behind Ceuta so as to include the Sierra Bullones. Rather than consent to settlement about Ceuta, which they do not consider sufficient, the Spanish Government are prepared to break off negotiations. Situation is critical. French chargé d'affaires and myself are endeavouring to prevent a rupture. Despatch follows by post.

(Sent to Paris and Tangier.)

[40617] No. 327.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 7.)

(No. 62.)
(Telegraphic.) P. *Madrid, November 7, 1910.*

SPANISH-MOORISH negotiation.

French chargé d'affaires informs me that to-day the French Minister for Foreign Affairs will notify to the Spanish Ambassador at Paris his consent to the establishment

behind Ceuta of a customs-house, subject to certain conditions calculated to meet the wishes of Moorish bondholders. This concession will doubtless greatly appease Spanish Government.

(Sent to Paris and Tangier.)

[40697] No. 328.

Sir Edward Grey to Sir M. de Bunsen.

(No. 40.)
(Telegraphic.) P. *Foreign Office, November 7, 1910.*

SPAIN and Morocco.

I gather from what the Spanish Ambassador told me this afternoon that the Spanish Government would accept 60,000,000 pesetas if the Makhzen would agree to the occupation by Spain of the heights commanding Ceuta and to the command by Spanish officers of a police force under a Moorish kaïd in a portion of the Anjera.

I have told the Ambassador that I am anxious to see a settlement and will raise no objections, but that I can do little to promote a solution if France and Spain cannot agree. His Excellency evidently thinks that his Government have done all they can and that it depends upon France whether the Makhzen can be brought to accept what he suggests, if it is proposed to them.

Please inform your French colleague, saying that, greatly as I wish a rupture to be avoided, I do not see that anything more can be done by His Majesty's Government, and adding that we raise no objection ourselves to the settlement proposed.

[40751] No. 329.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 9.)

(No. 147.)
Sir, *Madrid, November 5, 1910.*

I HAVE endeavoured to relate briefly, in my telegrams terminating with No. 60 of yesterday, the progress of the negotiations between El Mokri, Moorish Ambassador, and the Spanish Minister for Foreign Affairs.

In point of figures, the two parties are not far from an agreement. Spain, starting from a demand of considerably over 100,000,000 pesetas in respect of the Melilla war indemnity, has come down to 65,000,000 pesetas. El Mokri, starting from a refusal to pay any war indemnity at all, has now offered 60,000,000 pesetas. Both these figures are exclusive of a sum of about 5,000,000 pesetas which the Makhzen is understood to have already consented to pay as compensation for the employment of Spanish troops at Casa Blanca, for the families of the navvies murdered at Melilla, and for the assaults on Alhucemas and Peñon de Velez.

It would seem that the consent of El Mokri to the payment of a pecuniary war indemnity is due, in part at least, to the insistence of the Spanish Government on territorial compensation as the necessary alternative to a money payment. El Mokri has been strongly opposed from the first to the idea of ceding territory to Spain even within the Riff districts now occupied by her troops.

But, though only 5,000,000 pesetas now stand between the demand of one side and the offer of the other, Señor Garcia Prieto is still far from satisfied with the results attained by his diplomacy. I found him yesterday in a very pessimistic mood. He said that El Mokri, at their interview of the 3rd instant, had solemnly promised either to pay the 65,000,000 pesetas claimed by Spain or to accept a suitable territorial arrangement to make good the deficiency. This promise he had now broken by refusing to pay more than 60,000,000 pesetas and rejecting any form of territorial cession. His Excellency added that he could not face the popular outcry which would inevitably be produced by a settlement founded on the acceptance by Spain of a figure lower than the 70,000,000 pesetas war indemnity granted to France. That sum was the absolute minimum that Spain could accept, and he was ready to take it in the form of 65,000,000 pesetas for Melilla and the 5,000,000 pesetas for Casa Blanca, &c., already agreed to. But if El Mokri held to his refusal to grant more than 60,000,000 pesetas, Spain must claim a territorial concession both in the neighbourhood of Ceuta and of Ifni. The line claimed behind Ceuta stretches across the mountains from Point Ciris to Wady Fenidak, near Castillejos. From Ifni the Spanish Government seek to extend their claim northwards to Wady Massa.

In discussing these points in a friendly manner with Señor Garcia Prieto, I expressed my conviction that, in view of the sum now offered by El Mokri, the considerable territorial demands still put forward by Spain would certainly not be understood abroad. I said that when the Moorish Ambassador's offer stood at a much lower figure, I had made the suggestion that an agreement might perhaps be reached by arranging for an extension of the neutral zone outside Ceuta to include the Sierra Bullones mountains, which were held to threaten the security of Ceuta. But I had never spoken of a territorial concession behind Ceuta, which was a very different thing, and I feared that the Algeciras signatory Powers would regard such a concession as an infringement of the General Act of Algeciras.

I now repeated my original suggestion, as representing the utmost extent to which Spain could properly go in demanding guarantees for the security of her fortress. His Excellency then produced a map, and argued that the Sierra Bullones was commanded by other heights lying beyond, and that there would be no real safety for Ceuta till these further heights were also brought under Spanish control.

I replied that, on this principle, there would be no limit to annexation, and I again suggested that, as a last resort to avert a rupture of the negotiations, the idea of a mere extension of the neutral zone to include the heights immediately commanding Ceuta might be put forward by the Spanish Government. Señor Garcia Prieto promised to consult the Council of Ministers, but doubted whether they could be induced to concur.

In a conversation yesterday afternoon with the interpreter of El Mokri, I touched on the same point. I said I could well understand the Ambassador's hesitation to grant considerable territorial concessions, especially in the neighbourhood of Ceuta, but that I hoped nothing would occur to cause a rupture of the negotiations. If Spain pressed for a cession of territory, his Excellency might fall back on the proposal to extend the neutral zone to include Sierra Bullones. The interpreter thought the idea would be acceptable, but preferred to put it in another form. El Mokri, he imagined, would more readily agree to an extension, not of the actual neutral zone, but of the zone lying beyond it, namely, the district to be placèd under the authority of the important kaïd who would have under his orders the proposed body of 250 native police under Spanish instructors. This district was originally intended to include merely a line of outposts lying along the outer boundary of the neutral zone, but the interpreter informed me that El Mokri had already offered that it should be extended to the foot of the Sierra Bullones. A further extension to embrace the Sierra Bullones range would thus only be a development of El Mokri's own idea.

I hope that these suggestions, founded on your telegram No. 38 of the 28th October, may afford ground for a more amicable discussion at their next meeting than those which have recently taken place between the two parties. The French chargé d'affaires raises no objection to the idea, and we continue to act together in complete agreement in the language which we hold to the Moorish Ambassador and to the Spanish Foreign Minister.

I am careful to make it clear that I am taking no official part in the negotiations, and that my suggestions are purely unofficial and designed to assist both sides, if possible, in arriving at an acceptable settlement of the questions at issue.

I have, &c.

MAURICE DE BUNSEN.

[40887] No. 330.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 10.)

(No. 148.)

Sir, *Madrid, November 7, 1910.*

THE centre of gravity of the negotiation which is proceeding between the Moorish Ambassador and the Spanish Minister for Foreign Affairs has shifted during the last few days from the question of the war indemnity to that of the arrangements to be made in the region adjoining Ceuta. In the enclosed memorandum, I have endeavoured to set forth the demands which I am informed that Spain is about to formulate with regard to that region. A sketch map is also enclosed.*

Señor Hontoria, Chief of the Diplomatic Department of the Ministry of State,

* Not reproduced.

was deputed by the Minister on the 5th instant to bring these demands to my knowledge, and to explain that, failing a satisfactory settlement with regard to them, the Spanish Government would prefer to drop the negotiation altogether, and to revert to the situation as it existed at the conclusion of the Melilla war. He stated that it had been strongly represented to them by the military authorities that all that had been so far concerted with Mokri respecting other points would be worse than useless so long as the safety of Ceuta had not been adequately secured. Discussions with regard to the Ceuta region had been proceeding for some time, and the demands now to be put forward were not regarded by the Spanish Government as new demands. They were the irreducible minimum of what Spain could accept.

It will be seen that these demands require no cession of territory to Spain. They contemplate firstly the creation of an unfortified zone of a few kilometres in depth beyond the present neutral zone. Within this new zone the engagement already offered by Mokri, to the effect that the Makhzen would allow no fortifications or other works constituting a menace to Ceuta to be erected, would hold good. Police control would be exercised by the frontier kaid and native police force under Spanish instructors already agreed to by Mokri.

This demand is, of course, considerably in excess of your suggestion in respect of the Sierra Bullones.

Spain requires further that the frontier region vaguely indicated in articles 30 and 103 of the Algeciras Act (Arms Traffic and Customs) shall be defined so as to include the territory occupied by a section of the Angera tribe.

The first of these demands is, perhaps, not open to insuperable objections. I apprehend that the second, which, if granted, would give the Spaniards, through the native police force under Spanish instructors, a certain control over a part of the Angera tribe, will be regarded as entirely inadmissible.

In view of the conciliatory attitude assumed by the French Minister for Foreign Affairs in conceding, as I learn to-day, the important point of the establishment of a customs-house behind Ceuta (subject to certain conditions calculated to give satisfaction to the holders of the loans to which the customs revenues of the ports are pledged), I trust that the Spanish Government will modify the language which they were preparing to hold to Mokri at to-day's meeting.

M. Martin, French chargé d'affaires, and myself have pressed on both parties the importance of continuing the negotiation in a friendly and conciliatory spirit.

I have, &c.

MAURICE DE BUNSEN.

Enclosure in No. 330.

Memorandum by Sir M. de Bunsen respecting State of the Negotiation between Spain and Morocco on November 5, 1910.

AN agreement had nearly been reached on the war indemnity for the Melilla campaign, Mokri offering 60,000,000 pesetas, to be guaranteed by half the royalty due to the Sultan from the proposed new mining tax, while the Spanish Minister for Foreign Affairs still held out for 65,000,000 pesetas. Mokri declaring that he could not increase his offer, Señor Garcia Prieto said he would require territorial concessions to make good the deficiency.

As the territorial concessions understood to be demanded by Spain involved a considerable rectification of the Ceuta boundary, besides a long stretch of coast northwards from Ifni, opposite the Canary Islands, it was suggested by Sir Maurice de Bunsen to both parties to the negotiation that, in view of the smallness of the sum still at issue between them on account of the war indemnity, a fair equivalent for the money shortage might be found in the extension of the present neutral zone outside Ceuta, so as to include the Sierra Bullones. Spain would thus be relieved of the anxiety caused by the possibility of an artillery attack from those heights on the fortress of Ceuta. On the other hand, Morocco would not be making any actual cession of territory.

This suggestion was submitted on the 5th November by the Spanish Foreign Minister to the Council of Ministers at Madrid. According to a message from his Excellency subsequently brought to the embassy by Señor Hontoria, chief of the Diplomatic Department of the Ministry of State, the Council of Ministers were not able to accept the suggestion. After an exhaustive discussion of the situation, in

the light of the reports received from the Spanish military authorities, the council came to the conclusion that, failing a satisfactory arrangement in the region adjoining Ceuta, they would prefer to drop the negotiation, and to revert to the *status quo* as it existed after the conclusion of the Melilla war. This would leave Spain in full possession of the occupied region in the Riff, unrestricted by any intervention of the Makhzen such as was contemplated in the negotiation. As regards the war indemnity, they would continue to hold it over the heads of the Makhzen, which some day would be compelled to pay at least the 60,000,000 pesetas offered by Mokri.

The council came to an agreement as to the minimum demand which would satisfy Spain in the Ceuta region. It falls into two parts, namely :—

1. To replace the 5,000,000 pesetas required by Spain in excess of the 60,000,000 pesetas offered by Mokri, a zone shall be created within which the Makhzen will engage that no artillery shall be mounted or fortifications or other works erected. The zone shall extend from the existing neutral zone outside Ceuta to a line beginning at Point Ciris on the coast some 10 kilom. west of the northern end of the neutral zone, and ending at Fenidak or Castillejos, lying about 5 kilom. to the south of the southern end of the neutral zone. This line to be drawn so as to embrace all the heights from which the security of Ceuta could be threatened with modern artillery. Within this zone the kaid to be appointed by the Makhzen to guard the Ceuta frontier will exercise full authority in agreement with the Governor of Ceuta. As already agreed by Mokri, the said kaid will have under his orders a native police force of 250, with Spanish instructors. It is explained that the zone in question cannot be described as an extended neutral zone, inasmuch as this would require the removal of the two or three native villages which it contains. Hence the necessity that the frontier kaid should be invested with a police authority over the zone.

2. Spain requires, further, that the present opportunity be taken to define the frontier region outside Ceuta which is contemplated by articles 30 and 103 of the Algeciras Act, and within which matters relating to illicit arms traffic and customs are to be settled by direct negotiation between Spain and the Makhzen. Spain wishes that this frontier region shall include one of the three sections into which the Angera tribe is divided, namely, the Hait-el-Gaba section, which is understood to occupy the territory extending from Ceuta to a line beginning at Alcazar Point and ending at the mouth of Wady Negro. Spain does not desire to exercise authority within this region, but merely that the frontier kaid shall have authority there, subject to the Makhzen and independently of the Governor of Ceuta. The kaid would enforce his authority by means of the above-mentioned native police under Spanish instructors.

The Spanish Government contend that this is no new demand, as they have been in negotiation with regard to the Ceuta frontier for many months. All that is desired is that article 5 of the Spanish-Moroccan Convention of the 5th March, 1894, having reference to the Melilla frontier, shall be textually applied to the Ceuta frontier, with an additional paragraph investing the kaid (called "basha" in the said convention and "Gobernador del Campo de Ceuta" in the present negotiations) with authority over the nearest section of the Angera.

[40888] No. 331.

Sir M. de Bunsen to Sir Edward Grey.—(*Received November* 10.)

(No. 149.)

Sir, *Madrid, November* 7, 1910.

WITH reference to my preceding despatch of to-day, I am now informed by the Spanish Government that the frontier region which includes a section of the Angera tribe, and throughout which the Spanish Government desire that the authority of the Ceuta frontier kaïd should be recognised, is not regarded by the Spanish Government as representing the frontier region mentioned in articles 30 and 103 of the Algeciras Act. They consider that the latter region, if defined, should extend much farther inland.

I have, &c.

MAURICE DE BUNSEN.

[41097] No. 332.

Sir M. de Bunsen to Sir Edward Grey.—(*Received November* 11.)

(No. 64. Confidential.)

(Telegraphic.) P. *Madrid, November* 11, 1910.

SPANISH-Moorish negotiations. Your telegram No. 40 of the 7th November.

At last meeting, as reported in my despatch No. 148 of the 7th November, El Mokri, while rejecting Spanish proposal that the frontier kaïd should have authority over a section of the Angera tribe, had raised no objection to his exercising authority within the whole region of the heights threatening Ceuta. This morning, however, French chargé d'affaires is informing El Mokri that French Government objects to the authority of the frontier kaïd being extended beyond Sierra Bullones. Moorish Ambassador, by adopting this attitude at to-day's meeting with the Spanish Minister for Foreign Affairs, will thus have to withdraw from what he had previously implicitly conceded and was prepared to concede fully this afternoon. I fear agreement will thus be rendered extremely difficult. I am urging Spanish Government not to lose patience.

French chargé d'affaires agrees with me in thinking El Mokri's intended concession would have gone far to bring the negotiation to a satisfactory conclusion.

(Sent to Paris and Tangier.)

[41135] No. 333.

Mr. Lister to Sir Edward Grey.—(*Received November* 12.)

(No. 232. Confidential.)

Sir, *Tangier, November* 5, 1910.

WITH reference to my despatch No. 225 of the 29th ultimo, I have the honour to report that R'miki's partisans collected a large gathering of tribesmen from the Khlot, Tlig, and Ahl Shereef, who declared that they would no longer recognise Raisuli as their governor and appointed headmen of their own. They addressed a letter to the British, French, and Spanish consular officers at Alcazar, asking them to request the officer in command of the Makhzen troops to remain neutral. This letter was sent through the French consular agent, who communicated it to his colleagues. I beg leave to transmit a translation of this letter, which was forwarded to me by the British consular agent, with a request that I should furnish him with instructions as to the reply he should make.

Upon receipt of this letter I called upon the French chargé d'affaires, and enquired what instructions he proposed to send to his consular agent at Alcazar. M. de Billy informed me that the rebels, in addition to writing this letter, had sent a deputation to Laraiche, where they had made a sacrifice at the door of the French vice-consulate, begging for support to obtain the removal of Raisuli, and saying they were prepared to pay the Sultan 60,000 dollars for the appointment of another governor. In the meantime, however, Raisuli had marched against the rebels, and had instructed the Alcazar troops to attack them simultaneously in the rear. The rebels had been completely routed, their camp taken, and forty-nine prisoners captured.

M. de Billy was in some doubt as to how to act, and appeared desirous of lending the rebels a certain measure of support. The French Legation has lately received a number of complaints against Raisuli, who was accused of exacting large sums from the tribesmen, many of whom were associates of Frenchmen, or protégés of the Wazan shereefs; they have consequently come round to the side of R'miki, some members of whose family have received French protection. This has, I understand, been due in great measure to the influence of the French consular agent at Alcazar, who has always been an active ally of the R'miki family; in fact, according to information received from Mr. Carleton, it was a French protégé ("Semsar" of the French consular agent) who was in command of the rebels; and after the fight the French consular agent rode out to the camp and brought in with him one of R'miki's sons, whom he put up in his house.

In consequence of the complaints made against him by the French Legation Raisuli came to Tangier a short time since, and called upon M. de Billy, assuring him

that the complaints were unfounded. At his suggestion the French vice-consul at Laraiche and a Moorish official were sent out into the district to hold an enquiry; I believe the result was favourable to Raisuli, but M. de Billy seemed disinclined to say much about it, merely observing, in reply to my enquiry, that Raisuli had offered every facility for the investigation, and had settled their claims.

As to the question of the governorship, M. de Billy said that Raisuli had himself told him that he would be glad to be relieved of it, and he was of opinion that it would be as well that another governor, Kaïd-el-Baghdadi for instance, should be appointed. He thought, therefore, of instructing the French vice-consul at Laraiche to inform the deputations that the French Legation could not interfere in a matter of internal administration, but recommended them to go to Fez, and lay their case before the Sultan, addressing a letter at the same time to Cid Guebbas, when the French Legation would see if anything could be done to support them.

I observed that it appeared to be very impolitic to hold out to the rebels any hopes of support, or to do anything directly or indirectly to bring about the withdrawal of these tribes from the jurisdiction of Raisuli at this moment. There could be no doubt whatever that the rebellion had been promoted entirely by R'miki, who was determined to procure his reinstatement as governor of the Alcazar district. Were Raisuli to be now removed, and Kaïd-el-Baghdadi, or any other, to be appointed, the same tactics would be again employed, and they would be continued until R'miki obtained the post. That Kaïd's past history was not such as to render it desirable that he should be reinstated. Raisuli had apparently crushed the rebellion, and peace and quiet would doubtless be restored; it was better, therefore, to leave things as they were, at any rate for the present.

I added that I proposed to instruct Mr. Carleton to make no reply to the letter, and should any of the rebels ask him for a reply, to inform them that we could not interfere in any way. M. de Billy seemed somewhat embarrassed, and unwilling to altogether abandon the cause of the rebels. He said that the French consul, M. de Gaillard, would shortly be returning to Fez, and they might then perhaps suggest that an alteration be made in the districts of the governors, that only a few governors be appointed, each having a large district under his jurisdiction.

I observed that it might be found difficult to induce the Sultan to adopt this suggestion, as it was exactly the opposite of his policy, which had hitherto been to subdivide districts so as to have more posts to sell. His Majesty would also probably be unwilling to risk the governors in the north becoming too powerful, as were those in the south.

I subsequently saw the Spanish chargé d'affaires, and inquired what instructions he was sending to his consular agent at Alcazar in regard to the letter of the rebels. M. Padilla replied that he had forwarded the letter to his Government, and would await instructions. He had not made any suggestions to his Government, but was personally of opinion that no notice should be taken of the letter.

I have, &c.
REGINALD LISTER.

Enclosure in No. 333.

By Order of the Kabiles of Khlot, Tlig, and Ahl Shereef to the French, English, and Spanish Consuls at Alcazar.

(Translation.)
(After compliments.)

WE have to inform you that the whole of the above Kabiles have met together, and have rebelled against our governor. For you are well aware of the great and unlimited harm he has done to us, and you know the whole matter from beginning to end. We have appointed Mokhasnis to look after the roads and all interests, so that nothing untoward may occur, and no harm happen to anyone at all.

We wish you to take note of this, and to speak with Bendakhan (the chief of the Asker at Alcazar) to remain where he is, and not to touch anyone of the Kabiles of Khlot, Tlig, or Ahl Shereef.

Please answer.

Thanks.

[41290] No. 334.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 13.)

(No. 65.)
(Telegraphic.) P. *Madrid, November 13, 1910.*

SPANISH-MOORISH negotiation.

I am informed by El Mokri that an agreement was practically reached at the conclusion of yesterday's meeting on all points of importance, excepting the extent of the authority of the Ceuta frontier kaïd and police.

To-morrow a further meeting will be held.

(Sent to Paris and Tangier.)

[41695] No. 335.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 15.)

(No. 66.)
(Telegraphic.) P. *Madrid, November 15, 1910.*

SPANISH-MOORISH negotiation.

A convention will be signed to-morrow recording successful settlement reached to-day. Sphere of action of frontier kaïd and native police under Spanish officers is extended to include line of heights regarded as menacing the security of Ceuta. The objection of the French Government to this line had been previously withdrawn.

Total war indemnity is fixed at 65,000,000 pesetas (silver), which includes amount due for Casablanca and other claims.

I have repeated the above to Paris and Tangier.

[41703] No. 336.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 16.)

(No. 150.)
Sir, *Madrid, November 12, 1910.*

THE interpreter of El Mokri has informed Mr. Rennie that the result of a four hours' meeting held yesterday with the Spanish Minister for Foreign Affairs was as follows:—

1. El Mokri declared the inability of the Makhzen to pay more than 60,000,000 pesetas as war indemnity, plus the 4 milllions (previously given as 5 millions) for the Casa Blanca expenses and other subsidiary Spanish claims. As the result of a long discussion, it was finally agreed that the total sum of 64 millions should be guaranteed by 55 per cent. of the Makhzen's share of the mining tax throughout Morocco. It was further agreed that the Spanish Government should be allowed to attach to the "administration" of the mining tax a special delegate for the purpose of control.

2. El Mokri conceded the Spanish demand for the establishment of a custom-house at Ceuta. It was agreed that, should the establishment of the custom-house result in any deficit in the receipts at the custom-houses at Tangier and Tetuan, which were pledged for the service of the 1910 loan, arrangements for covering the deficit should be made the subject of subsequent negotiation between the Spanish Government and the Makhzen.

The question of the extent of the authority of the frontier kaid was left to stand over till to-day's meeting.

I have, &c.
MAURICE DE BUNSEN.

[35659] No. 337.

Sir Edward Grey to Mr. Lister.

(No. 162.)

Sir, *Foreign Office, November* 16, 1910.

I HAVE had under my consideration Mr. White's despatch No. 206 of the 24th September, enclosing and commenting on a memorandum by El Mokri on the question of the abuses of the right of protection.

I entirely approve Mr. White's suggestions, and I hope it may be found possible to reach a settlement on the lines he indicates if, after consultation with your French colleague, you see no reason to propose further modifications. As such a settlement will apparently involve some slight changes in the convention of 1880, it would be advisable that before a final agreement is reached the text should be submitted to this Office for my further consideration and approval.

I am, &c.
E. GREY.

[41945] No. 338.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 18.)

(No. 153.)

Sir, *Madrid, November* 14, 1910.

THROUGHOUT the negotiation which El Mokri has been conducting in Madrid with the Spanish Minister for Foreign Affairs I have been repeatedly appealed to by both parties to support the contentions which they have respectively put forward. Your instructions left me in no doubt that, while His Majesty's Government had no intention or desire to interfere officially in the matter, they were ready to contribute as far as possible towards promoting an amicable settlement. I have therefore endeavoured, in friendly conversations, to discourage the extreme pretensions of either side. Thus, at an early stage, I took upon myself to throw doubts, as a personal opinion of my own, on the force of the Moorish argument that Spain had no right to claim any war indemnity whatever in respect of Melilla. Later on your instruction as to the possible inclusion of the Sierra Bullones within the neutral zone of Ceuta proved to be a wholesome corrective to the Spanish demand for territorial concessions of an extensive character. Your suggestion was eventually adopted by the French Government, and it has now taken the form, with M. Pichon's approval, of an offer by Mokri to the Spanish negotiators that the sphere of the operations of the proposed native frontier police force under Spanish instructors, but commanded by the Moorish frontier kaid, should extend beyond the Sierra Bullones so as to include the line of heights lying between Point Ciris and Wady Fenidak or Castillejos. Though this offer fell short of the Spanish demand, which sought to include a fraction of the Angera tribe within the territory subject to the authority of the kaid and of his police, and which would thus have extended the beat of the police under Spanish instructors to the line of Wadis Alcazar and Negro, there seems to be good hope that it, or something like it, will be accepted by the Spanish Government as a compromise. I supported a settlement on these lines, after having the satisfaction of finding that the French Embassy was equally prepared to recommend it. In so doing I have been obliged to lay stress in my conversations with Señor Garcia Prieto on the objections which I knew were entertained at Tangier generally and at Paris to any foreign police intervention in the Angera region.

I trust that, in adopting the general attitude described above, I have been so fortunate as to secure your approval. My fundamental object has been to act in agreement with the French Embassy. Both with regard to the war indemnity and to the Ceuta frontier I have had no difficulty in obtaining the assent of the French chargé d'affaires, M. Martin, to the unofficial advice which I have offered, and the latter has successfully urged the Moorish Ambassador to conform to it, as representing equally the views of the French Government. At the same time I have been anxious to show the Spanish Government that the British Government sympathise with their desire to secure an equitable settlement both in respect of the war indemnity and of the Ceuta frontier arrangement to which they attach so much importance.

Señor Garcia Prieto, while abandoning reluctantly some of the extreme points for which he had contended, has been good enough to thank me verbally for my attitude with regard to these questions.

I have, &c.
MAURICE DE BUNSEN.

[42087] No. 339.

Mr. White to Sir Edward Grey.—(Received November 19.)

(No. 233.)

Sir, *Tangier, November* 12, 1910.

WITH reference to my despatch No. 227 of the 3rd instant, I have the honour to transmit herewith a copy of a despatch I have received from His Majesty's consul at Fez, enclosing a translation of the new army regulations recently brought into force by the Sultan.

Five regiments were paraded before the Vizier for War and the head of the French Military Mission on the 1st instant, and the regulations were read out to them. They all shouted out that they would not serve under those conditions, having been probably instigated by their commanders, who saw their principal source of revenue being closed to them. The regiments that were paraded in the afternoon, however, accepted the regulations, and then the first five regiments also begged to be allowed to serve.

Commandant Mangin intends to disband most of the men, keeping merely a small force of picked men who will be well trained and regularly paid. The size of this force will depend upon the amounts that can be guaranteed annually for its upkeep. It is considered by some, who are in a position to judge, that the rate of pay for the rank and file is too low, being less than the men can earn as labourers. Commandant Mangin has had, however, to take into consideration the impoverished condition of the Moorish treasury.

I have, &c.
HERBERT E. WHITE.

P.S.—Since closing this despatch, I have received a further despatch on the subject from His Majesty's consul at Fez, and beg to transmit a copy thereof herewith.

H. E. W.

Enclosure 1 in No. 339.

Consul MacLeod to Mr. White.

(No. 82.)

Sir, *Fez, November* 7, 1910.

WITH reference to my despatch No. 80 of the 28th ultimo, I have now the honour to enclose copy and translation of the army regulations which have been promulgated here these days.

At first there was considerable dissatisfaction expressed both by officers and soldiers, and large numbers, in some cases a whole regiment, threatened to quit the service.

In the event, however, practically all the troops, and all ranks, appear to have acquiesced in the new system.

I have, &c.
J. M. MacLEOD.

Enclosure 2 in No. 339.

Moroccan Army Regulations.

(Translation.)

Praise to the one God!

Reformed Regulations for the Shereefian Army; may God give it Victory.

HIS Shereefian Majesty commands that the following orders be obeyed, and that all who serve be furnished with these orders to study them and either to remain in his service or quit it.

Regulations for Recruiting.

Kaïds, officers, and privates who are passed by the doctor as fit for service may enter the Shereefian army for four years after they swear to His Shereefian Majesty against treason, whereupon they will be supplied with a document called "Recruit's Certificate" ("Moujeb Ettajnid"), and the said document is to be left with them.

Any person who deserts or does anything against these regulations will be liable to the following punishments, and those who are of good behaviour will be rewarded in the manner hereinafter stated.

Pay.

In future the pay is to be regulated as follows :—

	In Fez.	In Camp.
	Rvn.	Rvn.
1. El Khalifa-el-Kebir (lieutenant-colonel)	26	30
2. El Khalifa-el-Saghir (major)	10	15
3. Kaïd-el-Mia (captain)	8	10
4. Mlazem (lieutenant)	5	6
5. Makdam (sergeant)	4	5
6. Moawan (corporal)	3½	4½
7. Askri (private)	3	4

Drummers and trumpeters are to be rated according to their conduct, either as private soldiers or as corporals.

The first-class paymasters ("Umana") are to be paid the same as the Khalifa-el-Kebir.

The second-class paymasters are to be paid the same as the Khalifa-el-Saghir.

The third-class paymasters are to be paid the same as a Kaïd-el-Mia.

Kaïds ar-rha (colonels) are to be divided into two classes

The first class are to be paid 5 dollars per day in Fez and the same in camp.

The second class are to be paid 1 dollar per day in Fez and 2½ dollars in camp.

The Shereefian Government is to appoint kaïds ar-rha of these two classes, the others are to be rated as follows :—

Those who have less than 150 men and more than 100 men are to be paid the same as a kaïd-el-mia.

It is prohibited for either a kaïd or a lesser officer to take anything from anyone who is under him in rank (meaning gifts or bribes).

In future the pay is to be paid each week for the whole seven days of each week.

Uniforms, arms, and accoutrements are the property of the Shereefian Government, and no person has the right to sell them.

Discipline.

Every kaïd, officer, or private is ordered to give his full attention to the following disciplinary regulations :—

Highest Crimes against Discipline.	Punishment.
Mutiny in arms against the Government	Death.
Deserting with arms or Government's equipment	"
Plundering with arms and murder	"
Deserting position in presence of the enemy, or treason in presence of the enemy	"
Robbing and killing the wounded	"
Deserting without arms or Government equipment	From two to four years' imprisonment
Selling or stealing Government equipment and arms	" " "
Buying or concealing Government equipment	" " "
Intentional damaging of Government equipments	" " "
Corrupt or wasteful expenditure of Government funds in anything connected with the army	From one to four years' imprisonment, and a fine of the value of same from delinquent's personal means and not to be deducted from his pay.

All persons serving in the army are forbidden to trade or to have any other employment of any description save that connected with the army. Kaïds ar-rha who do not comply with this order, who either trade or do anything against the military regulations will be punished with five years' imprisonment; punishments of other officers and paymasters will vary from one to four years' imprisonment, according to the nature of their crime, and corporals and privates are to be punished with six months' imprisonment.

All the above-mentioned crimes must be submitted to His Shereefian Majesty, and he himself will punish the guilty parties.

Lesser Offences.

1. Offences of officers :—

(*a.*) Giving unreasonable orders or orders impossible of accomplishment.
(*b.*) Oppressively unjust punishments.
(*c.*) Conduct contrary to his duty.

2. Offences of privates :—

(*a.*) Going off duty without permission.
(*b.*) Coming late to drill, or not coming at all to drill, or not presenting himself when required.
(*c.*) Arriving in camp or at post of duty after the appointed hour.
(*d.*) Dirt, or neglect of uniform, arms, or equipment.
(*e.*) Disobeying orders, or acting against them after hearing them, in anything connected with the army.
(*f.*) Drunkenness.
(*g.*) Quarrelling and fighting with soldiers or others.
(*h.*) Disobeying his superior or being disrespectful to him.
(*i.*) Threatening of a non-serious nature.
(*j.*) Giving false information to his superiors.
(*k.*) Refusing to give his name or the name of his tabor.
(*l.*) Non-fulfilment of any punishment to which he may have been sentenced.
(*m.*) Having forbidden intercourse with prisoners.
(*n.*) Using defamatory language against officers.
(*o.*) Sleeping when on duty.
(*p.*) Neglect that may cause escape of prisoners.
(*q.*) Damage to private property, including theft, without arms.

The sentence for any of the above offences is to be pronounced by the kaïd ar-rha of the respective tabor, and the kaïd ar-rha will be guided therein by the following rules :—

(*a.*) Deduction of one-third or one-quarter of the offender's pay.
(*b.*) The infliction of not more than twenty-five lashes in one day.
(*c.*) Imprisonment for not more than fifteen days.

None of these punishments are to be carried out until the consent of the Allaf (Minister of War) and the instructor, appointed by the commandant (head of the French Military Mission), is obtained, and enquiries thereon have been made by them.

All offences are to be registered in the book provided for that purpose, and which will be presented every day to the Allaf and instructors. Kaïds ar-rha who do not comply with this order will be liable to severe punishment.

The Allaf has the right to add to the above punishments if there is a good reason therefore.

Imprisoned soldiers are liable to do work that may be useful to the general public, such as sweeping the streets and approaches to the towns or military posts or buildings. During their imprisonment they will receive no pay, but will be supplied with food.

Rewards.

Those who show good conduct and bravery will be rewarded either by money compensation, or by promotion in rank, or by Shereefian decorations.

The kaïds ar-rha cannot dismiss officers. That right is reserved to the Shereefian Government only.

A private who is designated for promotion to any higher rank cannot be reduced to a lesser rank except by the Shereefian Government.

All are bound to obey the regulations of the military service.

The commandant and instructors will explain all the Shereefian orders and will insist on carrying them out, and they will inform His Shereefian Majesty of any kaïds ar-rha, officers, and paymasters who are unable to do their duty or who neglect to do it.

His Shereefian Majesty reserves to himself the right to reduce the punishments of death to that of imprisonment or to grant a free pardon, as he may please.

Enclosure 3 in No. 339.

Consul MacLeod to Mr. White.

(No. 83. Confidential.)

Sir, *Fez, November* 8, 1910.

WITH reference to my despatch No. 82 of yesterday, I have the honour to submit the following further particulars which have been given to me in a confidential way by Commandant Mangin, head of the French Military Mission:—

From the troops now at Fez the total number of men discharged as unfit, or who have refused the new conditions and departed to their homes, is between 2,000 and 2,500. This leaves about 3,500 to 4,000 men in Fez.

There remains the mehalla now in Sherarda, which numbers some 3,000 to 3,500 men. The new conditions have not yet been announced to them, and as they are still in possession of their arms, &c., care will need to be exercised in extending the new regulations, as of course it would be somewhat risky, as yet, to rely entirely upon the troops here being willing to coerce them should they object to the innovations, and their deserting with their arms would be apt to cause many disorders on the roads.

Most probably, therefore, the Sherarda mehalla will be withdrawn to Fez regiment by regiment very cautiously, and thereafter, by degrees, be disarmed and reorganised in the manner followed at Fez.

I infer that what Commandant Mangin aims at is the creation of a small but fairly efficient force of between 4,000 and 5,000 men, to be continually with the Sultan. This he estimates will be quite sufficient for the maintenance of order amongst the tribes regularly under the Makhzen control.

Referring to the new regulations, the fact that such elementary military rules should now be laid down for the first time is itself most striking evidence of the backward, primitive state of things prevailing hitherto, under which no body of Moorish troops was ever much more than an armed mob.

In past years many efforts have been made to improve this or that portion of the army, but these attempts never went beyond improving the drill, discipline, and equipment of the particular regiments affected, which were instructed by officers of different nationalities, each with his own system.

This is therefore the first step in the reorganisation of the Moorish army as a whole under one system, and guided by instructors of one nationality. (Two British instructors are still in the army, but they are of subordinate rank, and in practice serve under the commandant of the French Military Mission.)

The present experiment consequently seems much more likely to succeed, particularly because the general situation is now such that the French Military Mission are more and more in a position to insist on the reforms being continued long enough to become really effective, and to become part of an established and better order of things.

Although only very briefly mentioned, by far the most important point in the new regulations is the formal prohibition of "gifts"—really bribes—from juniors to seniors, itself the source of the greater part of the corruption, malpractices, and inefficiency which have been hitherto characteristic of the Moorish army. Such "gifts," and the malpractices to which they led, provided emoluments for officers which often raised them to opulence, and very frequently the greatest adepts in such traffic attained the highest posts. It will doubtless take much time and effort to eradicate this evil, and its not being included amongst the crimes or offences for

which specific punishments are provided seems suggestive of the difference of moral point of view between the Moors and Europeans who have framed the regulations.

Pay.—The food allowance in kind has been abolished, and privates are to have 3 rvn per day instead of 2 rvn as heretofore—say 5*d.* instead of 3*d.*—which seems a regrettable change and reduction.

No provision is made of the materials by which uniform, arms, &c., are to be kept clean, nor are the men supplied with great-coats, blankets, nor bedding.

The sick and medically unfit for further service, and those who have quitted the service rather than accept the new rules, have not been paid either arrears of pay nor given allowance for subsistence when travelling to their homes, all much to be regretted, but which are attributable to the Makhzen's present lack of money.

Punishments.—Fixed sentences are an entire novelty in Moorish administration, the old—and in civil matters present—practice being that the offender was simply imprisoned and released through the intercession of his friends or for money paid to his superiors. In practice, it may be found that the new rule under which the higher punishments are to be made by, or remitted by, the Sultan will still leave some room for the old evil.

Still the plan adopted, if carried out in spirit, should have the advantage of more readily reconciling the troops to these novel rules than were the men given the idea that they were being subjected to foreigners and to foreign regulations.

The putting of soldier-prisoners to useful public work, such as street cleaning, is also an entire novelty in Moorish administration, and, it is to be hoped, will succeed so well as to lead to its being extended to civilian prisoners, also to whose health it would be of great benefit as well as of public advantage.

Rewards.—In Morocco speech "decorations" include medals. In this connection they are an absolute novelty, with the exception of the bestowal of the "Jellala Hafidin" (Hafidian decoration)—itself a novelty—on two or three kaïds ar-rha about a year ago.

Even to them little idea of real recognition of merit is conveyed to them by such distinctions, which are apt to be valued exclusively at the intrinsic worth of the metal of which they are made.

But their true meaning will doubtless come to be understood in time, and will have a wholesome effect in raising the standard of self-respect and mutual respect amongst members of all ranks.

On the whole, the new regulations seem very well adapted for their objects, and one cannot but hope they will succeed and thus reward the work and care which the French Military Mission have spent in their preparation.

I have, &c.

J. M. MacLEOD.

[42243] No. 340.

Sir A. Hardinge to Sir Edward Grey.—(*Received November* 21.)

(No. 139. Confidential.)

Sir, *Brussels, November* 19, 1910.

I HAVE the honour to report, in continuation of my despatch No. 137 of the 12th instant, that the ex-Sultan of Morocco left Brussels yesterday morning for Amsterdam, whence he intends to proceed to The Hague, the Queen of the Netherlands having intimated to him, so he tells me, that she would be glad to receive him.

Kaïd Sir Harry Maclean informs me that Moulai Abdul Aziz is not entirely satisfied with his treatment by the Belgian Government. At Gibraltar and Lisbon a good deal of attention was apparently shown to him by the British and Portuguese authorities, and he had hoped that at Brussels he would have been invited to pay a visit to the palace, but although M. Davignon called on him two days after his arrival at his hotel, his Excellency said nothing about an audience of King Albert, and I gather that the King, while ready to grant him one if actually asked for it, preferred not to take any initiative in the matter. The ex-Sultan, who, like all Mahommedan princes, is very vain and touchy as regards anything affecting his own personal dignity, would not on his side risk the possibility of a refusal. He therefore confined himself, in returning M. Davignon's call, to enquiries respecting the King's whereabouts and health, and when these hints elicited no response, inferred that His Majesty might not like to receive him, out of regard for the susceptibilities of Moulai Hafid.

PUBLIC RECORD OFFICE, LONDON

I have, in concert with my French and Spanish colleagues, done what I could in a quiet way to show civility to a fallen ruler, who may conceivably one day recover the Moorish throne. The French chargé d'affaires invited him to spend an evening with himself and the staff of the legation at the theatre, and asked me to join the party, but as I had promised on my side to motor him out the same day to see the Colonial Museum at Tervueren, and did not wish to appear too often with him, I pleaded another engagement. The Spanish Minister gave a luncheon in his honour at his legation, and I asked him to dine at my house to meet the Infanta Eulalia of Spain, now staying with my United States colleague, who had told me that Her Royal Highness would like to make the Moorish Prince's acquaintance. I invited to this dinner the French, Spanish, and American representatives, and also, so that the party might not bear too marked a French-Spanish complexion, the new German Minister, Herr von Flotow. The latter had guests of his own that evening, but mentioned that he would have greatly wished to have a talk with Moulai Abdul Aziz, as he had been chargé d'affaires in Paris during the crisis which led up to the Algeciras conference, and had, he added, incurred the vindictive resentment of Herr von Holstein for deprecating, in connection with Moorish affairs, the very anti-French policy then adopted at Berlin.

Kaïd Maclean told me that the French chargé d'affaires had promised to arrange that the French consul at Amsterdam should meet the ex-Sultan at the station, and begged me to make a similar suggestion, as regarded our own consul, to His Majesty's legation at The Hague. I accordingly telegraphed to that effect to Lord Acton, who has evidently referred the point to you, as he has just informed me that you consider this step unnecessary.

The ex-Sultan struck me as a very up-to-date Arab potentate, though in some things he displays a quaint simplicity, as when at the Colonial Museum he asked if some painted figures of Congo natives exhibited there were, like the surrounding animal specimens, genuine stuffed human bodies. He played bridge after dinner at my house, and also at Prince Charles de Ligne's, where he dined the day after his arrival, the Prince's son having been an attaché at Tangier. He spent, like a true Oriental, nearly 100*l.* in one day on rubbish picked up in the Brussels shops, and but for the influence of Kaïd Maclean, who pointed out that it might discredit him with his own countrymen, would have bought and dressed in European clothes here. He has, the kaïd informs me, told the French that, even if he could reascend the throne, which many of his former subjects are urging him by promises of assistance to attempt, he would only do so on one of two alternative conditions, either that France cleared out of Morocco altogether, evacuating Ujda and Casablanca, and leaving him to rule in accordance with purely Moorish notions, or else that she conquer it completely, and allow him to reign under her as a protected Prince, like the Khedive, or the Bey of Tunis. Sir Harry thinks, since his latest talks with him, that he at heart admires Germany more than any other Christian power, and both dislikes and distrusts the French.

I have, &c.
ARTHUR H. HARDINGE.

[41889] No. 341.

Sir Edward Grey to Sir M. de Bunsen.

(No. 134.)
Sir, *Foreign Office, November* 21, 1910.

THE Spanish Ambassador called at the Foreign Office on the 15th instant to convey the warm thanks of his Government for the endeavours which His Majesty's Government had made towards a satisfactory settlement of the differences between Spain and Morocco. His Excellency stated that his Government quite understood that His Majesty's Government could not have done more than they did.

The Ambassador subsequently communicated further details in regard to the agreement between Spain and Morocco which has now been signed.

[42436] No. 342.

Sir M. de Bunsen to Sir Edward Grey.—(Received November 22.)

(No. 156.)
Sir, *Madrid, November* 19, 1910.

THE convention between Spain and Morocco, which has been under negotiation at Madrid since July of last year, was signed on the evening of the 16th instant at the Ministry of State by Señor Garcia Prieto, Minister for Foreign Affairs, and El Mokri, the Sultan's Ambassador.

When El Mokri took over the negotiation from his predecessor, El Muaza, on the 30th September, the prospects of a successful issue were far from promising. King Alfonso's speech in reply to the Moorish Ambassador's address contained expressions which indicated the likelihood of a severe diplomatic struggle. The progress of the negotiations soon justified this expectation, and on at least two occasions relations between the parties became so strained that a rupture was a not improbable contingency. The first danger point was reached when Mokri took a stand on 25,000,000 pesetas as the utmost that his country could undertake to pay in respect of the Melilla war indemnity. His Excellency had previously been induced with difficulty to admit that any war indemnity at all was payable. Spain having demanded over 100 millions, Señor Garcia Prieto for a moment lost patience, harmony being at length restored by a letter in which, in temperate language, the Moorish Ambassador placed on record the various concessions he had already made, with the addition of an offer to engage that the Makhzen would never allow the heights around Ceuta to be fortified in a manner to threaten the security of that fortress.

At this juncture your suggestion with regard to the possible substitution of some territorial compensation near Melilla, or of a rectification of the frontier near Ceuta, was efficacious in turning the attention of the Spanish negotiators to this alternative to a full money payment of the war indemnity. Spain, however, pitched her territorial pretensions so high that Mokri preferred to meet half way the Spanish pecuniary demands, and an agreement was finally reached on the basis of a money indemnity of 65,000,000 pesetas. This sum includes the 4 millions exacted by Spain in respect of the cost of the Spanish military contingent at Casa Blanca, certain works executed in the occupied region of the Riff, compensation for the assault of the neighbouring tribes on Alhucemas and Penon de Velez, and other items. The stipulated sum, bearing 3 per cent. interest, is payable by the Makhzen in seventy-five annuities of 2,545,000 pesetas, guaranted by 55 per cent. of the share accruing to the Makhzen from the contemplated tax on mines.

The second crisis which arose during the negotiation occurred quite recently over the question of the extent of territory within which the Moorish Kaïd or Governor of the Ceuta frontier, and his body of 250 native police under Spanish instructors, should be allowed to exercise the authority hitherto nominally placed in the hands of the kaïd of the Angera tribe. On this point the Spanish Government showed great sensitiveness, and I was informed by them that, failing a satisfactory arrangement in the region in question, Spain would prefer to drop all the other advantages she had gained and to break off the negotiation altogether. The military authorities had convinced the Government that the due security of Ceuta required nothing less than the extension of the authority of the frontier police over a zone which should include one of the three sections into which the Angera tribe is divided. This would have carried Spanish influence, as exercised by the Spanish instructors of the police force, to a line extending from Point Alcazar to the mouth of Wady Negro. The French Government, as well as most of the foreign representatives at Tangier, being credited with a determined opposition to any police interference with the Angera tribe in its mountain strongholds, it was evident that the Spanish demand in this respect was not one which was at all likely to prevail. It was, however, for a time warmly supported by Señor Garcia Prieto as an irreducible minimum. El Mokri declared from the first that it was entirely inadmissible. He was ready, however, to concede the line of heights from Cape Ciris to Fenidak or Castillejos as the outside limit of the police authority, and had prepared the Spanish Government for his formal concurrence on this point, when a hint from the French Embassy induced him to restrict the concession to which he had made up his mind to a line including only the actual heights of Sierra Bullones, and excluding from police operations the more extensive line of heights which he had intended to yield. His altered attitude was the consequence of a telegram received by M. Martin, French chargé d'affaires, from M. Pichon to the effect that the French

Government were not prepared to agree to a sphere of police influence outside the Ceuta boundary extending beyond the Sierra Bullones. The French chargé d'affaires, realising the awkward *impasse* which would be created by insisting on this view, represented the situation by telegraph to the French Government, which accordingly saw fit to withdraw its objection to the Ciris–Fenidak line. At the final meeting of the negotiators before the signature of the convention, Mokri was thus enabled to accept the line in question, and even certain variations of the line to the advantage of Spain which had been put forward by the Spanish Government. The line as finally accepted by Mokri runs from west to east from Wady Rmel to Wady Fenidak, the ulterior valleys being substituted for the mountain summits. In return for this concession, and for the offer by Mokri of an extra 1,000,000 pesetas, bringing up the total indemnity to 65 millions, Señor Garcia Prieto abandoned his demand in respect of police control over a section of the Angera tribe, and declared himself ready to sign the convention, the text of which was now nearly complete.

I have briefly reported in my despatch No. 153 of the 14th instant the general attitude which, in conformity, as I hope, with your instructions, I have assumed in connection with this negotiation.

Immediately after the final agreement Señor Garcia Prieto, in writing to inform me of the same, included his thanks for what he was pleased to term my "friendly co-operation." From Mokri I received no less cordial acknowledgements, coupled with the request that I would convey to you his thanks for the assistance which he considered that your instructions had enabled me to render.

Mokri had been throughout advised at every stage by the French Embassy, and I venture to think that the latter, by timely concessions where they were needed, and chiefly as regards the war indemnity, the Ceuta customs-house, and the police sphere outside Ceuta, rendered possible an agreement which would otherwise have been extremely problematical.

It must be remembered that throughout the negotiation the Spanish military authorities, as I was more than once assured by the Foreign Minister, were pressing for forcible assertion of the claims of Spain; that the garrison of Ceuta, at least 10,000 men, is fully prepared for a warlike enterprise; that a demonstration in force could have been made without moving a single man from Spain across the straits; and that the Spanish occupation of Tetuan in 1860 and the successful engagements which led up to that event are still surrounded in the Spanish mind with a halo of legendary glory calculated to arouse, in support of a renewed exhibition of Spanish prowess in the Ceuta region, an enthusiasm which was conspicuously absent during the Melilla campaign.

The convention, in so far as its main features are realised, has been greeted with a very remarkable chorus of approval in all the leading newspapers of the capital. Señor Canalejas has briefly explained its purport in both Houses of the Cortes, laying special stress on the pacific character of the policy of Spain in Morocco. His Excellency declared that Spain, equally with France, had a civilising mission to fulfil in that country. The new agreement would greatly promote its accomplishment. Señor Canalejas also alluded gratefully to the assistance rendered during the negotiations by the French and British Governments. In the Senate his speech was responded to by a few words of congratulation in turn from representatives of all the parties in the State, including the Republican, and the Bishop of Jaca expressed the satisfaction of the church.

The only provision of the convention which so far has encountered the slighest criticism is that relating to the eventual evacuation of the occupied territory in the Riff, which is provided for under conditions similar to those stipulated in the Franco-Moroccan Agreement of the 4th March, 1910, with regard to the Showia region. The idea that the achievements of last year are not to result in permanent annexation is not yet fully accepted in the Spanish mind. But Señor Garcia Prieto has had no difficulty in explaining that, in view of the plain terms of the General Act of Algeciras as regards the maintenance of the independence and integrity of Morocco, no other course was open to the Spanish Government than to provide for evacuation when the occupied districts can be safely handed over to the native authority.

I am forwarding in a separate despatch an outline of the main features of the convention so far as they are known here.

I have, &c.
MAURICE DE BUNSEN.

[41945]

No. 343.

Sir Edward Grey to Sir M. de Bunsen.

(No. 135.)
Sir, *Foreign Office, November* 25, 1910.

I LEARNT, with great satisfaction, from your Excellency's telegram No. 67 of the 17th instant, that the negotiations between Spain and Morocco had resulted in the conclusion of a convention.

I desire to take this opportunity to express to your Excellency my entire approval of your proceedings, and my appreciation of the tact and judgment which you displayed, and to which the happy issue of the negotiations must in some measure be attributed.

I am, &c.
E. GREY.

[42947]

No. 344.

Sir M. de Bunsen to Sir Edward Grey.—(*Received November* 26.)

(No. 161.)
Sir, *Madrid. November* 22, 1910.

I HAVE the honour to forward herewith a translation by Sir Somerville, head of the Spanish convention with Morocco, the text of which was enclosed in my despatch No. 158 of the 19th instant.

Though its principal features are already known to you I may repeat that the convention deals with three main subjects, namely:—

1. The administration of the occupied region in the Riff and of the territory lying near the Spanish fortresses of Alhucemas and Peñon de Velez. These regions will be administered by a Moorish High Commissioner, who, in concert with a Spanish High Commissioner, will appoint the subordinate officials, maintain order and otherwise carry out the stipulations of the conventions signed between Spain and Morocco in 1894 and 1895. The two High Commissioners will have under their orders a native police force of 1,250 men, under Spanish instructors. The first contingent of this force which can be got ready is assigned to the neighbourhood of Alhucemas and Peñon de Velez. As the remainder of the force is gradually organised and prepared for duty, it will successively occupy the various posts now held by the Spanish forces, the whole of which will retire into Melilla when the entire police force is fully organised and held to be capable of fulfilling existing conventions, keeping the peace, facilitating trade operations, and enforcing payment of taxes. Provision is made for payment of the police force, at first out of Spanish funds, and eventually out of the proceeds of the Moorish custom-house which is to be re-established on the Melilla frontier. Markets are to be set up where desirable.

2. Ceuta frontier arrangements. The Makhzen engages never to fortify or to allow to be fortified any point held to threaten the security of the Spanish fortress. A capable Moorish kaïd or governor will settle purely local disputes in concert with the Governor of Ceuta. An appeal lies to the respective Ministers at Tangier in the event of disagreement. The kaïd is assisted by a native police force of 250 men under Spanish instructors, the sphere of his authority extending from 5 to 10 kilom. inland from the existing frontier. A Moorish custom-house to be eventually established on the frontier, under conditions safeguarding the interests of the holders of the loans of 1904 and 1910. Receipts of the custom-house are assigned to cover the cost of its own administration, and of the kaïd, officials and police.

3. Melilla war indemnity of 65,000,000 pesetas, including Casa Blanca expenses and cost of Moorish and other refugees in Melilla between the years 1903 and 1907; the whole payable in seventy-five annuities of 2,545,000 pesetas, guaranteed by 55 per cent. of the Makhzen's share of the proposed new mining tax, and secondly by surplus of Ceuta customs. Provisions as to the manner in which the Spanish share of the tax is to be collected and paid. Indemnity is exclusive of 1,500,000 pesetas for improvements in the occupied region.

The convention, which it was at first intended to keep secret till ratification by the Sultan, was read out in full to the Chamber of Deputies by the Spanish Foreign Minister on the 19th instant. I have already reported that it has been well received by all parties in Spain.

I understand that the delay which is evidently contemplated in setting up the Ceuta custom-house is due to the fact that the extensive port works designed for Ceuta, at an estimated cost of 800,000*l.*, will not be completed for some years, and that till then there will be no proper facilities for establishing a trade with Tetuan and the interior.

I have, &c.
MAURICE DE BUNSEN.

Enclosure in No. 344.

Convention between Spain and Morocco.

(Translation.)

His Catholic Majesty's Minister of State and His Shereefian Majesty's Minister for Foreign Affairs, Finance and Public Works, animated by the desire of terminating the difficulties which have arisen in the frontier regions of the Spanish fortresses, and of facilitating and securing the fulfilment of the treaties relating to the order, tranquillity and development of commercial traffic in those districts, duly authorised to that effect, have agreed upon the following provisions:—

ARTICLE 1.

In the first place both Governments consider that the arrangement to be carried out is based upon the agreements already existing between them; agreements to which the following provisions are complementary:—

Provisions concerning the Occupied Portion of the Riff and the Neighbourhoods of Alhucemas and Peñon de Veles.

ARTICLE 2.

The Makhzen shall entrust the Basha of the district of Melilla, provided for by article 5 of the agreement of the 5th March, 1894, with the functions of High Commissioner to act in concert with a Spanish High Commissioner, for the purpose of executing the agreements between the two countries of 1894 and 1895.

The Shereefian High Commissioner shall be invested without delay with the necessary powers for the exercise of his duties, and especially with authority to propose, in agreement with the Spanish High Commissioner, the appointment and renewal of the kaïd and other Moorish officials of the occupied region, and of the tribes of Temsaman, Beni-Urriaguel and Bokkoia. Should experience prove the necessity of extending this authority to the Beni Itteft tribe, it shall be done by common consent between the two countries. Once the arrangement laid down in the agreements is applied in its entirety, and in a manner corresponding to the common interests of both Governments, and once the Spanish troops evacuate the territory under the conditions laid down below, the duties of the Shereefian and Spanish High Commissioners shall be those determined by the first paragraph of this article.

ARTICLE 3.

In view of the new requirements, the Shereefian force provided for by treaty shall be raised to 1,250 men; shall be organised with the help of Spanish instructors, in conformity with the regulations of the police of the ports; shall have a Moorish staff; be autonomous, and under the direct orders of the Spanish and Moorish High Commissioners, who will convey to it their decisions through the proper Spanish instructor, at the same time notifying the Moorish authorities; the force will be paid by the proceeds of the Melilla customs and by the contributions and taxes of the tribes of the regions indicated in the preceding article. The organisation of the force shall be carried out in the occupied territory. As soon as a first contingent of 200 men is organised, it shall be sent to the neighbourhood of Alhucemas, and as soon as there is a second similar contingent, it shall be sent to the neighbourhood of Peñon de Velez. In proportion, as the remainder of the police force of the Makhzen is progressively organised on the principles indicated above, the Spanish troops occupying a portion of the Riff shall be reduced. When this force of the Makhzen reaches the strength mentioned of 1,250 men, and when it is deemed capable of safeguarding the

execution of the agreements between the two countries, of maintaining security, facilitating commercial intercourse, and finally of ensuring the collection of the taxes and contributions, the Spanish troops shall be withdrawn to the limits of the Spanish territory.

ARTICLE 4.

The budget of the said police shall be drawn up in common accord by the two High Commissioners, and shall be submitted to the approval of His Shereefian Majesty.

His Catholic Majesty's Government shall defray the initial costs of the establishment of the police and the expenses of its maintenance, in accordance with the budget, until the revenues provided for in the following articles begin to come in, provided the total amount to be advanced does not exceed 1,000,000 pesetas.

The Spanish Government shall be repaid their outlay within thirteen years out of the revenues of the customs of the neighbourhood of Melilla in the following manner:—

The first three years the Makhzen shall only pay interest at the rate of 3 per cent. per annum, payable half-yearly; during the ten ensuing years it shall provide, as well as the 3 per cent. annual interest, a sum of 100,000 pesetas. This loan shall have a preferential character over any other with regard to the revenues of the said customs.

ARTICLE 5.

His Shereefian Majesty shall establish a custom-house in the neighbourhood of Melilla. The demarcation of the customs frontier shall be carried out in common accord by the Spanish and Moorish High Commissioners, and the duties there collected shall be the same as those in force on the other frontiers of the Empire.

His Catholic Majesty's Government shall place at the disposal of the Government of His Shereefian Majesty an official of the Spanish expert Customs staff to assist in the valuation of goods, collection of duties, accounts, &c. He shall be appointed by the two High Commissioners, and his appointment shall be notified to the Makhzen. The umanas and adules shall be appointed and removable by His Shereefian Majesty. For each appointment the Moorish High Commissioner shall propose four persons, selected in concert with the Spanish High Commissioner. Both they and the Spanish assistant shall be paid out of the customs receipts.

ARTICLE 6.

To develop the prosperity of the district, as well as for the purpose referred to in article 3 of the present agreement, the establishment of markets in the villages of the regions mentioned in article 2 shall be favoured wherever the High Commissioners deem it suitable, collecting such duties as may be fixed by common accord. The taxes of Zekkat and Achur shall be collected according to the principles in force in the Shereefian Empire.

The collection of the taxes and revenues of the Makhzen shall be effected by the umanas and kaïds, with the assistance of a Spanish official until the evacuation is complete. With regard to the expenses of the administration of the territory, such as the salaries of the Shereefian High Commissioner, the umanas, and others, they shall be defrayed out of those revenues. Their amount shall be accounted for to the Makhzen, the remainder of the taxes being payable to the Shereefian Treasury.

Provisions concerning the Neighbourhood of Ceuta.

ARTICLE 7.

The Government of His Shereefian Majesty undertakes, in view of the friendly and neighbourly relations existing between them and the Government of His Catholic Majesty, not to construct fortifications, place artillery, erect strategic works or post troops, on any point which might constitute a risk or threat to Ceuta, and to prevent others from so doing.

ARTICLE 8.

The kaïd provided for in the last paragraph of article 4 of the agreement of the 5th March, 1894, shall be appointed under the conditions laid down by article 5 of the same convention with regard to the Basha of the Melilla district, namely :—

The appointment shall be given to such a person as by reason of his special aptitudes, will constitute a sufficient guarantee of the maintenance of harmonious and friendly relations with the authorities of the fortress and territory of Ceuta. The Moorish Government shall give previous notification to His Catholic Majesty's Government of his appointment and removal. The kaïd shall have authority himself to settle, in concert with the Governor of Ceuta, matters and questions of a strictly local nature, and in case of disagreement between these two authorities, the settlement of the matter shall be submitted to the representatives of the two nations at Tangier, except in questions whose importance requires the direct intervention of the two Governments.

The kaïd shall only have authority over the section of the frontier region of Ceuta included between the neutral zone on the one side, and on the other the rivers Rmel and Lit, a line from the Cudia of Ain Xixa to that of Ain Yir, the road from Zoco-el-Telata to its intersection with the river Laimund, then along this river, which takes the names of Mafak, Menizla, and Fenidak, to its mouth. This line is marked in blue ink on the map annexed to this agreement.*

ARTICLE 9.

The force provided for in the last paragraph of article 8 of the agreement of the 5th March, 1894, shall consist of 250 men under the orders of the above-mentioned kaïd. The latter will decide as to its distribution. To assist in the organisation of this force, destined to secure the order, tranquillity and freedom of commercial intercourse in the district under the authority of the said kaïd, His Catholic Majesty's Government shall place at the disposal of His Shereefian Majesty a captain, a lieutenant and four sergeants, whose appointment shall receive the approval of the Sultan. A contract between the said officers and sergeants and the Makhzen, in terms similar to those laid down by article 4 of the Act of Algeciras, shall determine the conditions of engagement of the said officers and sergeants and fix their pay which shall not be less than double that which they draw in their own country. His Catholic Majesty's Government reserves to itself the right of replacing these officers and sergeants by others, subject to the approval of His Shereefian Majesty and engaged under the same conditions. The duties of these officers and sergeants shall be those designated by article 4 of the Act of Algeciras.

ARTICLE 10.

The budget of the above-mentioned force shall be drawn up by the Makhzen on a similar footing to that of the Riff. In the 1,000,000 pesetas referred to in article 4 of the agreement shall also be included the initial expenses of this force.

ARTICLE 11.

Once the Melilla customs have been established, and when His Catholic Majesty's Government, in conformity with article 103 of Algeciras shall require it, His Shereefian Majesty shall establish on the Ceuta frontier, and at a place fixed by common accord, a custom-house at which the same export and import duties will be collected as in the ports of the Empire. The receipts of this custom-house shall be devoted, firstly, in every case, to its own administrative expenses, the payment of the salaries of the kaïd, mentioned in article 8 of the present agreement, and the other officials, and to the maintenance of the force provided for in article 9.

To assist His Shereefian Majesty in the organisation and good administration of the custom-house, His Catholic Majesty's Government shall place at his disposal an official of the Spanish export customs staff, who will check the valuation of goods, collection of duties, accounts, &c., during the whole period of the repayment of the

* Not reproduced.

military and naval expenses of the Riff campaign. If, as a result of the creation of the Ceuta custom-house, a persistent reduction is effected in the receipts of the customs of Tetuan and Tangier such as might affect the interests of the holders of the loans of 1904 and 1910, the Makhzen, in agreement with the Spanish Government, and in consultation with the said bondholders, shall consider whether and in what proportion the receipts of the Ceuta custom-house should contribute to make good the loss.

ARTICLE 12.

So long as the Ceuta custom-house does not produce sufficient revenue to meet the cost of the force referred to in article 9 of the present agreement, His Shereefian Majesty shall make good the difference.

Provisions concerning the Payment of Expenses incurred by Spain.

ARTICLE 13.

In view of the economic situation of the Moorish Empire, and as a testimony of their interest in its welfare, His Catholic Majesty's Government claim only 65,000,000 pesetas for the military and naval expenses incurred in the Riff up to the 31st October, 1910; for the military and naval expenses incurred as a consequence of the events at Casa Blanca in 1907; and for the assistance rendered to refugee Moors and Jews in Melilla between 1903 and 1907. His Shereefian Majesty's Government undertakes to pay annually during seventy-five years the sum of 2,545,000 pesetas.

This payment is preferentially guaranteed: Firstly, by 55 per cent. of the proceeds which may accrue to the Makhzen of the taxes provided for by the mining regulation alluded to in article 112 of the Act of Algeciras; secondly, by what may remain over of the receipts of the Ceuta customs.

ARTICLE 14.

The amount of the mining taxes, which, according to the regulation provided for in article 112 of the Act of Algeciras, have to be met by the taxpayers by payments to the State Bank, shall be duly received by the latter; but His Shereefian Majesty's Minister of Finance shall issue instructions to the effect that 55 per cent. of the share of the Makhzen shall be included in a special account at the disposal of His Catholic Majesty's Government, and at no time and for no reason shall the Makhzen or the State Bank be able to retain the whole or a portion of these funds. A Spanish delegate in the Moorish mining service shall have the right, without interfering in the administration of the same, of examining the registers of petitions, concessions, transfers, extinction of claims, &c.; of comparing them with the special account in the State Bank, and of moving the proper authority to take the steps authorised by the mining regulation to secure payment by the taxpayers.

The said delegate shall notify to the Makhzen the names of the agents appointed by His Catholic Majesty's Government to collect the share due to them from the remaining Moorish mining taxes. In order to safeguard the interests of Spain, the duties of these agents shall be determined in common accord between the Governments of His Catholic Majesty and His Shereefian Majesty, on the promulgation of the mining regulation provided for in article 112 of the Act of Algeciras and in conformity therewith.

If in the course of the year the product of the said resources should suffice for the payment of the annuity, the surplus shall be at once placed at the disposal of the Makhzen in the State Bank.

ARTICLE 15.

In case the Moorish Government should desire to anticipate the payment of the whole or a portion of its debts to the Spanish Government, negotiations shall be opened to that effect between the two Cabinets.

ARTICLE 16.

In the expenses referred to in article 13 of the present agreement are not included 1,500,000 pesetas, value of the improvements introduced up to date in the occupied territory, and which will be handed over to the Makhzen, the latter not opposing the

defrayal of their cost out of funds similar to those provided for in the last paragraph of article 66 of the Act of Algeciras, as far as the Riff country is concerned.

In faith whereof the undersigned have drawn up this agreement in duplicate in Spanish and Arabic, and have affixed thereto their seals at Madrid this 16th day of November 1910 of the Christian Era, and 13 Di El Kaada el Haaram 1328 of the Hegira.

MANUEL GARCIA PRIETO.

Signed subject to the approval of the Shereefian Makhzen, both parties agreeing to fix a period of two months within which to receive this approval.

MOHAMED EL MOKRI.

[43155] No. 345.

Sir M. de Bunsen to Sir Edward Grey.—(*Received November* 28.)

(No. 164.)

Sir, *Madrid, November* 24, 1910.

THE signature on the 16th instant of a convention between Spain and Morocco has been quickly followed by the announcement in the Spanish press that King Alfonso intends next month to visit the fortress of Melilla as well as the scene of the principal incidents of last year's campaign in the adjoining region. I understand from my French colleague that the objections which were at one time entertained at Paris to a Royal visit of this kind have disappeared as a consequence of the new understanding, and that, in view of its stipulations with regard to eventual evacuation, it is no longer thought by the French Government that His Majesty's appearance in the positions held by his troops might imply a claim to permanent possession.

Another consequence of the settlement with Morocco is the impending removal of Señor Merry del Val from the post of Spanish Minister at Tangier. The rebuff experienced by his Excellency last year at Fez, where he was coldly received by the Sultan, is regarded by the Spanish Government as having been effaced by the result of the protracted negotiation at Madrid, and the opportunity is held by them to be a good one for placing in other hands the duty of superintending the execution of the new arrangements in Morocco. Señor Merry del Val will, I believe, be transferred to Brussels. His successor at Tangier has not yet been appointed.

I have, &c.

MAURICE DE BUNSEN.

[43156] No. 346.

Sir M. de Bunsen to Sir Edward Grey.—(*Received November* 28.)

(No. 165.)

Sir, *Madrid, November* 24, 1910.

MR. MACPHERSON, the active manager of the Spanish mining company in the Riff, was good enough to inform me this morning that work is actively proceeding on the mines and railway. The plant for both has been almost exclusively purchased in England, and Mr. Macpherson hopes to interest British capital in the enterprise, which now promises exceedingly well. Even with the existing traffic the railway pays its way. As soon as the pier for loading vessels is completed, the receipts must largely increase, and Mr. Macpherson is confident that cargoes of high-class iron ore will shortly begin to be regularly shipped from Melilla to England. Much friction has been removed by the understanding with the rival French company, explained in my despatch No. 53 of the 24th April last. Unfortunately difficulties still continue to be created by the Mannesmann group. This grasping firm has secured the influence of the Duke of Tovar and a few other Spaniards of position. The German Ambassador has expressed to the Spanish Foreign Minister the hope that means may be found to give some satisfaction to the German company. Señor Garcia Prieto has passed on the request, without pressing it, to Mr. Macpherson. The latter, however, continues his opposition to any German participation in the Spanish undertaking. He has turned a deaf ear to Messrs. Mannesmann's offer to double its capital, and to share with it in return the profits which they still hope to obtain from their very problematical concessions. He is in negotiation with several British

capitalists, including Sir William Baird, of Glasgow, who is sending a competent engineer to Melilla to study the question.

Mr. Macpherson states that the scheme of converting the Mar Chica into a commercial port has not been abandoned, though it is in abeyance for the present, and is not likely to be carried out till the Spanish engineers hitherto employed on it have surrendered their task into more competent foreign hands.

I have, &c.

MAURICE DE BUNSEN.

[43712] No. 347.

Sir M. de Bunsen to Sir Edward Grey.—(*Received December* 2.)

(No. 168.)

Sir, *Madrid, November* 29, 1910.

I GATHER from a further conversation with Mr. Macpherson, of the Spanish Riff Mining Company, that the agents of Messrs. Mannesmann are still pressing for an arrangement with that company. Their present proposal is to the effect that each of the principal mining groups should be given a free hand within a region to be assigned to it. The Riff would be left to Spain, the southern part of Morocco to the Union des Mines marocaines, and the northern part of Morocco, exclusive of the region in which the Spanish mines are situated, to Messrs. Mannesmann. The German firm suggests that the line of demarcation between their mining sphere and that of the Union des Mines marocaines should be the 33rd parallel of latitude.

Mr. Macpherson is rather in favour of an arrangement of this kind, which would at least secure the Spanish company against competition in its own mining region. As he was good enough to ask my opinion with regard to it, I merely remarked that, at first sight, and however advantageous to all concerned a partition of Morocco among the principal mining groups might eventually prove to be, it seemed to me that the German firm, which was understood to have no valid claim whatever, was pitching its pretensions very high. I added that I could hardly believe that the Union des Mines marocaines would consent to be relegated to the region south of the 33rd parallel.

Mr. Macpherson promised to procure, if he could, a detailed statement of Messrs. Mannesmann's proposals.

I have, &c.

MAURICE DE BUNSEN.

[43743] No. 348.

Board of Trade to Foreign Office.—(*Received December* 2.)

Sir, *Board of Trade, December* 1, 1910.

I AM directed by the Board of Trade to acknowledge the receipt of your letter of the 6th November, with enclosures, relative to the question whether the support of His Majesty's Government should be accorded to or withheld from the Société marocaine de Travaux publics.

The Board have already indicated, in their letter of the 26th September, that in their view such support could only properly be accorded, and the definite provision of article 107 of the Act of Algeciras set aside, if two conditions at least were complied with, viz. :—

1. A more adequate representation of British interests in the société.
2. The financial participation in the société of all the leading British contractors.

Any attempt to secure the second of these conditions must necessarily be dependent on a satisfactory solution of the first.

From every point of view the share in the société available or likely to be available for British subscription appears to the Board to be ridiculously inadequate, whether measured by the ability or willingness of British contractors to take part in the construction of the works proposed, or by existing British interests in the trade and shipping of Morocco, the development of which the works in question are designed to further. The results of the enquiries made by Mr. Wellesley are far from indicating

any reluctance on the part of the leading contractors, whom he interviewed, to take part in Moroccan development provided adequate guarantees were forthcoming for due payment for the works executed, and, however prepared the société might be in return for British official support to secure for British contractors a somewhat larger proportion of the contracts to be disposed of than might be represented by the British share of the capital, it is evident, first, that it would be very difficult to make this understanding the subject of a binding arrangement, and, secondly, that in any case the share which would fall to British contractors could at best only be small.

The latest consular report for Morocco, published in July last, shows that in 1908 30 per cent. of the tonnage of shipping visiting Moroccan ports was British, a proportion in excess of that of any other nationality, and only approached by that of France (28 per cent.) and Germany (21 per cent.), whilst nearly 53 per cent. of the imports into Morocco consisted of British goods.

For these reasons the Board entirely concur in the opinion expressed by Sir E. Grey that "no international syndicate of this nature could be entitled to the support of His Majesty's Government unless this country be represented in it to the same extent as France, or at least as Germany."

The Board anticipate that insistence on such a condition will probably be practically equivalent to the refusal of support by His Majesty's Government.

Apart from this, however, the Board are of opinion that the consent of His Majesty's Government should be subject to some arrangement which will secure that any British contractors capable of executing the work likely to be required shall have at least the opportunity of securing a share in the increased allocation. Failing this, it is evident that the right to tender on conditions of free and fair competition, provided for in the Act of Algeciras, would have been bartered away, and a very genuine grievance imposed by His Majesty's Government on British contracting firms, without, so far as the Board are able to understand, any adequate countervailing advantages. On the political consideration referred to in paragraph 7 of your letter they are of course not competent to offer an opinion, though they see little reason to think that, even under the operation of the scheme, all political intriguing in regard to works in Morocco would be finally disposed of.

As regards the proposals for lighthouse construction, the Board concur in the view expressed in paragraph 10 of your letter, viz., that the system of adjudication provided for by treaty is sufficient to secure the optical work falling into the proper hands. Any private arrangement amongst individual firms for joint tender is of course entirely different from a diplomatic arrangement for the allocation of work amongst the various nationalities, even though in a particular instance it may lead to the work falling into the hands of the same firms. They also concur in the views of Mr. White and of Sir E. Grey as to the undesirability of the management and control of the lighthouses being granted to a private company.

The Board do not at present desire to offer any opinion on the question whether the lighthouse contract put up to tender should be one for the entire construction of equipment of the lighthouses, which the allied optical firms, if their tender were accepted, would divide amongst themselves, leaving the constructional work to be performed by sub-contractors, or whether the optical or constructional portions of the work should be the subject of separate contracts. The question, however, is one on which the Board would be glad to obtain the opinion of the Trinity House if Sir E. Grey should desire advice upon it.

I am, &c.
GEO. J. STANLEY.

[43877] No. 349.

Mr. Lister to Sir Edward Grey.—(Received December 3.)

(No. 237.)

Sir, *Tangier, November 24, 1910.*

AS you will recollect, it was arranged before I left London that I should avail myself of the opportunity presented by my proposed journey to Southern Morocco, to enquire into the question of the road dues levied between Mogador and the interior by Kaïds Anflus and Gilooli.

Before leaving Tangier I mentioned the matter to Sid Guebbas, who said he was only too anxious that it should be settled. He begged me to see Kaïd Anflus myself,

and also to ask Menebhi to speak to him, as he would certainly pay great attention to any representations coming from that quarter.

When I was at Marrakesh I discussed the whole matter with Hadj Thami el Glawi and Menebhi; the former fully endorsed what Sid Guebbas had said as to the advisability of my seeing Kaïd Anflus, and also as to the value of Menebhi's co-operation. It was he who had saved the family when their fortunes had been at a very low ebb, had braved the curse laid by Moulai Hassan on the man who should liberate the uncle, at that time head of the family, from prison, and had reinstated him in his kaïdship. The father of the present kaïd, who was murdered in 1908, had been Menebhi's greatest friend, and the boys had been brought up to look upon him as a second father. A word from him would certainly carry great weight with the young kaïd. Menebhi said I could, of course, count upon him to do all in his power to assist me in the matter. I told Hadj Thami that His Majesty's Government took a very serious view of the matter, and that this view was shared by all the other Powers; owing to these arbitrary exactions, which were contrary to treaty, the trade of Mogador was being destroyed. I quoted to him various significant figures which had been furnished to me by Mr. Broome. In the past, "n'zalas" had only been established when the country was dangerous, as a protection to commerce, and in order to provide a place of safety in which goods could pass the night against the payment of a small toll. I had nothing to say against this, and was the first to uphold the view that commerce should be made to pay some small charge in return for so definite an advantage. The present "n'zalas," however, were very different. So far from constituting a protection to commerce, they were its most dangerous enemies, being nothing more than posts established with the sole purpose of fleecing travellers carrying merchandise. The abuse was constantly growing, the dues levied had increased in the last two years to an unheard of extent, and it was high time that measures, drastic if necessary, should be taken to put a stop to it.

Hadj Thami agreed with all that I said, and it was arranged that Kaïd Anflus should be instructed to meet me on my journey down to Mogador in order to discuss the question. He should at the same time be given to understand that the Makhzen were determined that the matter should be settled, and that were he unable to come to an agreement with me they would take the necessary steps to suppress the "n'zalas." Menebhi also wrote to the young kaïd to impress upon him that the matter was a serious one, and that he must not fail to come to an arrangement with me. Two days before we reached Mogador Menebhi received a letter from him asking to be told exactly when and where he was to meet me. It was decided that he should come to M'tfia, about three hours from Mogador, where we were to halt for luncheon. At the last moment, however, his courage seems to have failed him, and he sent his brother with a khalifa, a man who rendered the young kaïd a signal service at the time of the murder of his father, when an uncle tried to seize the kaïdship, but who is supposed to influence him for evil. He at the same time sent a message to say that he was prepared to ratify any arrangement which I might come to with his brother! This, of course, was quite unacceptable. We ate our luncheon and I then sent for the brother and his khalifa. I told them that I was amazed at Kaïd Anflus not coming to meet me in person, after the instructions given him by Hadj Thami in the name of the Makhzen, and after the letter which he had himself written to Menebhi. As he very well knew there were important matters to be discussed between us of which my Government took a very serious view. I had come prepared to discuss them in a friendly spirit, but he must realise that the attitude of the British Government would change very considerably when they learnt of the slight which had been put upon their representative. I declined absolutely to discuss the question of the "n'zalas" with anyone but the kaïd, and I insisted upon his coming to Mogador to see me on the following day. I wished him to understand clearly that by refusing he would create a very serious situation for himself, the responsibility for which rested solely and entirely with him; for his own sake I hoped he would have the wisdom to comply with my request. Menebhi then took up the parable, and gave the young man and his adviser the most tremendous blowing-up, concluding by telling them that were the kaïd not to come in all friendship between them was at an end, and that when the Makhzen took the measures to destroy his power and wipe out his name in the country he hoped he might be the instrument selected to carry out their orders.

The two went off like whipped hounds, having first implored me to camp that night at M'tfia, promising that they would bring the kaïd. This I declined to do. The kaïd, I said, had broken his engagement with me, and he must now come to Mogador if he wished to see me.

We went on to Mogador in the afternoon, and I could not help feeling slightly anxious as to how the matter was going to end, all the more so as Mr. Broome and various other wiseacres all shook their heads and said there was no chance of the kaïd coming in! Fortunately, their gloomy prognostications proved false, and at 8 o'clock the following morning Menebhi came round to tell me that Anflus had arrived at 4 o'clock that morning, had pitched his tents just outside the gates of that city, and asked when he could see me. I said I would go at 2 o'clock. In the morning the various consuls called upon me, and I gathered from the Spanish consul, an able and broad-minded man, that we must be prepared for obstruction in the matter at the Court as the Sultan and Grand Vizier pocketed between them a large portion of the proceeds from the "n'zalas."

I subsequently called a meeting of the principal merchants to discuss the whole question and learn their views. The situation as painted by them was blacker even than I had anticipated. "N'zalas" have been established on the Saffi and Agadir roads within ten minutes of the gates of the town, where the excuse of insecurity cannot possibly be advanced; at these 1 dollar per camel load is charged, even though the goods going out have not travelled more than a few hundred yards. No less than 6 dollars per camel load are collected on the road between Mogador and Agadir, and shared between the various kaïds. The result is that the whole of the trade of the interior is being diverted to Saffi and southward to the French Soudan. Moreover, the foreign trade is suffering equally; and Mr. Broome told me that whereas in the past skins to the value of some 200,000 dollars were exported quarterly to America, the value fell last quarter to 50,000 dollars, and he doubts whether this quarter it will reach even 40,000 dollars.

I tried to ascertain what they would consider a fair arrangement, and it was finally agreed that I should propose that goods should only pay the dues at the "n'zalas" where they had actually spent the night, and that the dues paid should be reduced from their present exorbitant rate to—

1 peseta per camel load.
½ peseta per mule.
¼ peseta per donkey.

If I could induce Anflus to agree to such an arrangement they said they would be more than satisfied. In the course of our conversation it transpired that German protection had been granted to the baleful counsellor of the kaïd above referred to, and to another even more baleful by the German vice-consul, Mr. Marx, who at the same time is one of the principal merchants of Mogador, and that in return for this favour the goods of his firm only paid half dues at all the "n'zalas!"

Mr. Irwin had already been given an inkling of this rather disgraceful transaction the night before, and it was subsequently confirmed from various sources. I am glad to say, however, that it was the late German Minister, Dr. Rosen, who, at a meeting of the corps diplomatique held on the 18th July last at Tangier, opened the question of the "n'zalas," complained most bitterly of them, and expressed the opinion that the corps diplomatique should approach the Makhzen and insist upon their taking the necessary measures to put an end to a state of affairs contrary to treaty, and equally prejudicial to the commerce of all Europeans.

At 2 o'clock I rode out with Menebhi and Mr. Irwin to see Anflus. He is a young man of about 22, with gentle, intelligent eyes, and quite unlike the somewhat ferocious animal that I had been led to expect; he was evidently very nervous, and conversation was rendered more difficult and lengthy than usual by the fact that he knows practically no Arabic and speaks only Schilha.

We talked for about two hours, and I made use of all the arts and arguments at my disposal to convince him of the error of his ways and the absolute necessity for mending them, persuasion, threats, flattery, a consideration of his own real interests, the risks he ran were he to adopt an obstructive attitude, &c. I terrified him with the figures given me by Mr. Broome, showing the alarming decline of trade in his district, and told him the fable of the man who killed the goose that laid the golden eggs. Menebhi backed me up splendidly, and was able to add the touch of the *père noble* to all he said. From the outset Kaïd Anflus objected, as I knew he would, that he was not the only offender, that Kaïds Gilooli and 'Mtougui were, if anything, worse than he, and that it was unfair to attack him only. I replied that there was no personal question in the matter, that it was the system we objected to and were determined to get abolished; that I had merely addressed myself to him as being the most powerful and

influential of the kaïds concerned, and because I knew that were he convinced, as he certainly would be, of the necessity for abolishing the "n'zalas," his example and initiative in the matter would be of the greatest assistance.

Finally the young kaïd gave way. He said he was prepared to accept any arrangement which I might propose to the Makhzen and which they instructed him to carry out. He asked me what arrangement I should propose. I said that in my opinion, as in the past, "n'zalas" should only exist where the country was unsafe; that only goods which passed the night in them should pay dues, and that these dues should be reduced to one peseta per camel, half per mule, quarter per donkey. I pointed out to him that these rates were six times as much as those which were levied in old days, when a camel load only paid one-thirtieth of a dollar, and the rest *pro ratâ*. He therefore could not complain; moreover, the trade would revive so greatly after the abolition of the present abuses that the actual returns from the road dues would probably in a short time be larger rather than smaller than they were at present. He said he would agree to this arrangement on condition that it was enforced simultaneously on all the kaïds, otherwise, were he alone to remove the "n'zala," he would be the laughing-stock of all the tribes, and would lose the whole of his prestige. To this I agreed. I said that on my return to Tangier I would give an account of our conversation to my colleagues, and that the Makhzen would then be informed of the arrangement and would be requested to take the necessary steps to enforce it. A Government official, armed with a "Shereefian dahir" (probably a Kaïd Erha), would then, I imagine, be sent down with instructions to examine the whole question on the spot, to decide where "n'zalas" were required, to draw up the exact tariff of dues to be levied, and to make arrangements for their collection. Kaïd Anflus pledged himself solemnly to carry out the terms of this arrangement as soon as he received it, and he begged me as a favour, and in return for the good-will which he had shown in the matter, to ask that it might be communicated to him direct by the Makhzen, and not through the intermediary of the Kaïd Erha. I imagine that this was with a view to saving his face before his tribe, and I acceded to his request. I believe that we can rely on his word, and Menebhi is prepared to vouch for his *bona fides*. The fact too that the promise was given in Menebhi's presence, and to some extent at his instance, will add to its value. Moreover, Berbers, once they have given their word, are far more to be trusted than Arabs; and once the principle is admitted that dues are only to be paid by goods which actually pass the night at a "n'zala," the abuse of the system becomes impossible, and the unnecessary "n'zalas" will die a natural death.

Menebhi remained on with Kaïd Anflus after I left, and the latter then confirmed to him what the Spanish consul had said to me in the morning. He told him that out of the proceeds of the "n'zalas" existing in his district, he was obliged to send no less than 1,000 dollars to the Sultan and 500 dollars to the Grand Vizier every month. I fear, therefore, that we may meet with opposition at Fez, but I trust that El Mokri will realise the seriousness of the situation, and will be sufficiently far-sighted to grasp the fact that, though there may be a temporary loss, the true interests of the country will be served by the suppression of the "n'zalas."

I am reporting the result of my negotiations with Kaïd Anflus to my colleagues, and shall confer with them as to the best way of approaching the Makhzen in the matter. I shall suggest that we should in any case take advantage of the fact that El Mokri and M. Regnault are both in Paris at the present moment, and request the latter to lay the whole matter quietly before the Minister for Foreign Affairs. We are far morely likely to attain our object in this way than by a collective representation, although no doubt the latter must be made for the sake of form.

I have, &c.
REGINALD LISTER.

[43878] No. 350.

Mr. Lister to Sir Edward Grey.—(*Received December* 3.)

(No. 238. Confidential.)

Tangier, November 26, 1910.

Sir,

IN continuation of my immediately preceding despatch, I have the honour to report that I called upon Cid Guebbas this morning on my return from my journey in the south. I told him of my conversation with Kaïd Anflus on the subject of the

"n'zalas," and informed him that I proposed to talk the matter over with my colleagues and that we should then no doubt address a further representation on the subject to the Makhzen. Cid Guebbas repeated what he had told me before I started for the south, that he was most anxious to see the matter settled, but I fear that he too anticipates obstruction at the Court. He informed me, most confidentially, that at the time of my departure he had written to Fez on the subject, proposing that letters should be sent to Kaïd Anflus instructing him to discuss the matter with me, and, if possible, arrive at some conclusion. The Court had chosen to misunderstand his proposal, and had answered that it was impossible to grant letters for the abolition of the "n'zalas" until the Sultan went down to the south, when the whole question would be examined and settled. Guebbas answered that he had never asked for letters for the abolition of the "n'zalas," but merely for instructions to Anflus to talk the matter over with me. He had received no answer to his second letter. I told him that Hadj Thami had done everything to facilitate my seeing Kaïd Anflus, and had even written a letter to tell him that he must, if possible, come to an agreement with me, and that if he did not the matter would be taken up by the Makhzen and the necessary steps taken to remove the existing abuses. The nervous Guebbas seemed alarmed at the boldness of Hadj Thami, but expressed himself as delighted that he should have acted as he did. He begged me, however, not to say that Hadj Thami had been actuated by any advice or instructions from him.

A meeting of the foreign representatives, acting as "Conseil sanitaire," is to be held on Monday next, and I shall avail myself of the opportunity to give them a full account of the information I was able to obtain on the subject at Mogador and of my conversation with Kaïd Anflus, after which we must decide on the best course of action to be adopted with regard to the Makhzen.

There is a great deal of talk of the Sultan leaving Fez very shortly. He is said to be going first to Mequinez, thence to Rabat, and finally to Marrakesh. Cid Guebbas told me that His Majesty is undoubtedly most anxious to start as soon as possible, but he thinks his departure will be once more delayed, as the latest reports from the Hyaina are very bad. This latter information he asked me to treat as confidential.

I have, &c.
REGINALD LISTER.

[43879] No. 351.

Mr. Lister to Sir Edward Grey.—(*Received December* 3.)

(No. 239.)
Sir, *Tangier, November* 27, 1910.

ON the day after his return from Madrid Ali Zaky Bey paid me a visit. He said that Si Mokri had instructed him to lose no time in calling upon me in order to express to me his high appreciation of the services rendered by His Majesty's Ambassador at Madrid during the recent Hispano-Moorish negotiations. Their successful termination was, he considered, mainly due to Sir Maurice de Bunsen's indefatigable efforts to pour oil on the troubled waters and to find issues from what appeared to be hopeless *impasses*; without him he felt convinced that the negotiations would have been broken off at least five times, and the Moorish Government fully realised the gravity of their situation had matters come to such a pass. The Spaniards had everything ready for a forward movement from Ceuta and in the Riff; the Moors were powerless to offer any resistance; Spanish aggression would certainly have provoked a counter move on the part of the French; more territory would have been occupied, and there would have been an end of the Moorish Empire. As it was they were very well satisfied with the agreement. The terms were more advantageous to Spain than those conceded to the French on the Algerian frontier; the Ceuta custom-house was only to be established after the opening of the one at Melilla, for which Ali Zaky believed the Spaniards were in no violent hurry. He did not, moreover, appear to consider the financial arrangement a specially onerous one.

The Spanish Minister arrived at Tangier yesterday and called upon me this morning. He too seemed much pleased with the agreement, and also offered a high tribute of gratitude for the services rendered by Sir Maurice de Bunsen.

I have, &c.
REGINALD LISTER.

[43712] No. 352.

Sir Edward Grey to Sir M. de Bunsen.

(No. 141.)
Sir, *Foreign Office, December* 8, 1910.

I HAVE received your Excellency's despatch No. 168 of the 29th ultimo, reporting your conversation with Mr. Macpherson respecting the efforts of Messrs. Mannesmann to come to an arrangement with the Spanish Riff Mining Company.

It would be altogether opposed to the intentions of His Majesty's Government that Morocco should, as suggested by Messrs. Mannesmann, be divided into three mining spheres. It is open to the German firm to make good any claims they may have under the new mining law, which was no doubt negotiated by the German delegate with a complete appreciation of Messrs. Mannesmann's interests.

I am, &c.
E. GREY.

[44688] No. 353.

Mr. Lister to Sir Edward Grey.—(*Received December* 10.)

(No. 240. Confidential.)
Sir, *Tangier, December* 4, 1910.

I HAVE the honour to transmit to you herewith a copy of the journal which I kept during my recent journey in Southern Morocco. It touches on a variety of subjects, some of which have little or no bearing on matters official. I have, however, thought it better to leave them and send the journal as it was written, in the hope that some portion of it may prove of interest to you.

I was particularly struck by two points in the south: first, the overwhelming power of the Glawi; and, second, the great personal position which Menebhi has retained, which is all the more remarkable in this country, where official power is all that counts, and where gratitude and loyalty are practically non-existent.

I have, &c.
REGINALD LISTER.

Enclosure in No. 353.

Diary of Mr. Lister's Journey in Southern Morocco.

(Confidential.)

October 18.—We left Tangier at 4 P.M. on board His Majesty's ship "Doris," self, Rattigan, Irwin, and Menebhi, glorious weather, a full moon, and the Atlantic like a mill-pond.

October 19.—Owing to fog we overshot our mark, and did not get into Mazagan till about 10·30 A.M. We went on shore at once; the whole town turned out to meet us, and the landing was most picturesque. The governor told me that he had received the Sultan's orders to spare neither pains nor expense in giving me a reception worthy of the bashador of Great Britain. The Oomana had prepared a house rented by the Government from the French banker, Braumschwig, for my accommodation. I stayed, however, at the British vice-consulate. Almost immediately after our arrival we started for Azemmour, accompanied by the governor and a large escort. The town is situated most picturesquely on high ground over the Umer Rebia, and is more thoroughly Moorish than any I have yet seen, not excepting Sallee. We were met by the governor, but only rode through a corner of the town, as the commandant of the French post just across the river was expecting us to luncheon. The post, which was only a small one, is being very largely increased, as the camp from Si Boubker is being transported there.

The inhabitants of Mazagan are most anxious that a bridge should be built connecting Azemmour with the Shawia, and addressed an international petition to the representatives of the Powers at Tangier last spring. They at the same time asked that a wireless telegraph station should be established at Mazagan, or that the town should be telegraphically connected with Casa Blanca by means of the wire of the French military post of Sidi Ali. I discussed both matters with my French

colleague at the time, and a circular was addressed to the Foreign representatives, on which M. Regnault and I supported the two schemes. We have succeeded in obtaining the request with regard to the telegraphs, the Casa Blanca wire has been extended to Mazagan and Rabat, and the Rabat wireless station has been transferred to Saffi. In this way all the coast towns have the telegraph. The matter of the bridge was rather more difficult on account of the fact that it had not been provided for in the programme of public works. The representatives however appeared favourably disposed, and a note was addressed to Ali Zaky, as president of the Adjudications Committee. He replied that the committee in question were not competent to examine the matter, but that in view of the utility of the bridge he was referring the request of the inhabitants of Mazagan to the Makhzen with a strong recommendation that it be entertained. Nothing has been heard of the matter since. In the beginning M. Regnault suggested that the French military authorities might be prepared to make some sort of temporary bridge as they had done at Meshraa-el-Shaer, but such suggestions are always rather delicate as the Spaniards at once see in them a design on the part of France to increase her influence. Mr. Spinney tells me that the bridge is really most necessary in the interests of commerce, and I shall raise the question again on my return to Tangier. I gather that so far no public works have been undertaken at Mazagan, although a total sum of 365,000 fr. was set aside for various works to be carried out during the first year of the public works programme (lights, port works, &c.).

I was much struck by the capacity and intelligence of the commandant of the French police, Captain Bolelli, and by the smartness of his force. He tells me that it is very popular now, and that he has hardly ever a case of desertion.

The governor, of the country kaïd class, seemed a good man. I talked to him very seriously of the necessity of seeing that effect was given to the letters sent down to him by the Makhzen for the collection of the debts due to British subjects. He promised that he would do all in his power to meet my wishes.

October 20.—I received the British colony and the consular body in the morning. The former begged me to do all I could to obtain the building of the bridge at Azemmour. A grand luncheon was offered to me by the Oomana at the house placed at my disposal by the Sultan, to which all the principal members of the British colony were invited. After luncheon we started on our first march in the direction of Saffi. The whole town turned out again to see me off, and I was met at the gates by an escort of fifty Makhzen soldiers sent down by Hadj Thami Glawi, and by some four or five hundred Dukala horsemen with their kaïds, splendid looking men on the best horses I have seen since I have been in Morocco. They escorted me for some distance playing powder all along the route. The honours paid to me by the express orders of the Sultan were certainly very exceptional considering that I was not on an official mission to the court. Orders have furthermore been sent to all the kaïds along the route which I propose to follow to show me every attention and provide me with mona, guards, &c. I feel convinced that His Serene Majesty hopes by this to wipe out the recollection of his past misdeeds and to pave the way for the reception of a Moorish mission to the coronation. I must say that unless he commits some new crime I see no reason for refusing. All British claims are settled and will be paid as soon as the money is forthcoming; Menebhi's properties have been restored, the salaries of Doctor Verdon and Sergeant Balding have been paid up in full, the ex-basaha of Fez and his brother have been released, and the Sultan, guided by Mokri, seems anxious to meet the wishes of the French. There seems little doubt that his proud and rebellious spirit has been broken, and that he realises the uselessness of the struggle; he takes far less interest than before in the organisation of his army, which is now managed almost entirely by Commandant Mangin, while foreign and financial affairs are left to Sid Mokri. He gives himself up to the pleasures of love and the bottle; his tastes, moreover, are growing more and more luxurious, and he has latterly started building on a large scale at Fez.

October 21.—We rode four hours in the morning, shooting along the road several lesser and one greater bustard; a certain number of partridges. After luncheon I was told that, by the Sultan's orders, the mehalla posted in that district were coming to salute me, and that El Ayadi, the most powerful of the governors of the Rehamna and one of Moulai Hafid's earliest and most trusted lieutenants, would accompany them. I was glad of this, as I had let him know that I wished to see him with regard to several cases, notably, one of a semsar of Spinney's whom he had thrown into irons at Marrakesh. He appeared shortly with about 500 men; he at first swore to me that the whole thing had been a mistake of his khalifa, who had arrested the

man on an accusation of plotting against the Government, and had sent him to Marrakesh. He (El Ayadi) had been at Marrakesh at the time, and had at once ordered him to be released. I told him that his story differed absolutely from the one told me by Mr. Spinney; that the matter could not be allowed to rest there, and that as soon as I arrived at Marrakesh I could lay it before Hadji Thami and insist upon a thorough investigation. All I wanted was justice, but I should insist upon that being done. El Ayadi left still sticking to his story, but two hours later he sent Menebhi round to tell me that he had been lying, that he implored my forgiveness, and that in future he promised faithfully to do everything to further the interests of British subjects in his district. I told Menebhi to give him a good talking to, which he did, but as Spinney said he was satisfied with this confession and apology, I agreed to let the matter drop.

October 22.—A very long march to a walled village of Gharbia, where the kaïd omitted to come out to meet me, although he went with a large body of horsemen to meet Menebhi. The latter was terribly upset, and gave the kaïd a good wigging. He was not pardoned till the following morning, although he came twice in the evening and prostrated himself on his knees outside my tent. I declined to see him, and had him removed. Irwin told him he would do what he could to mollify me. My moral position was one of great dignity, my physical one rather less so, as none of our luggage with the exception of a tent had arrived, and we were all squatting on the floor on a rug.

October 23.—After about half an hour's ride we reached the frontier of the Abda country where Aissa-ben-Omar's son, Si Hamed, met me with a very large escort. It was sad to think that the old father who had administered the tribe ably, if harshly, for so many years had now been ousted from everything and held nothing more than a nominal position at Fez. I saw a good deal of him there at the time of his power when he and Glawi appeared united against the Sultan. I always felt that a struggle between them was inevitable as Glawi's ambitious and overbearing nature would never brook so powerful a rival. He did not dare attack Si Aissa openly but got at him through his sons. No doubt Si Aissa was a hard father and his constant demands for money, accompanied by threats, were a sore trial to his sons. Glawi worked upon these various causes of disagreement. He did all he could at Fez to set Si Aissa against his sons and his emissaries worked upon the feelings of the sons in Abda. Matters went from bad to worse. Si Aissa in a rage broke up the jurisdiction of the tribe into three, he gave two parts to kaïds who had been his bitter enemies in the past and tried to instal a nephew in the ancestral kasbah to the exclusion of his son. This proved too much and the sons openly rebelled. The eldest, Si Hamed, driven to desperation by his father's behaviour and goaded on by the insinuations of Glawi's agents seized the kaïdship and was recognised by the Makhzen. Si Aissa found himself dispossessed of everything and the power of the family was broken.

Before leaving Tangier I received a rather pathetic letter from Si Aissa saying that as soon as he had heard of my intention to visit his country he had written to his khalifa instructing him to do everything to welcome and entertain me and to arrange for me to have a splendid hunt, but in the meantime the jurisdiction over those tribes had been taken from him, and to his great regret he could now do nothing.

Si Hamed gave an account to Menebhi of all that had occurred. He made out, of course, that his father had been hopelessly unreasonable and hard. As a matter of fact I think that both father and son have fallen victims to the deep-laid plots of the Grand Vizier.

October 24.—We started from Si Hamed's kasbah at 8·30, and rode for about three hours through a dreary expanse of plough land; some of the soil is extraordinarily rich and the harvests have been known to yield as much as twenty-six to one even with the antiquated methods of agriculture employed in Morocco. To give some idea of the latter I noticed a camel and a mare yoked together and I understand that the team not unfrequently consists of a woman and a camel or donkey! We reached Saffi at about 12 o'clock: the entrance was most picturesque. The whole town is commanded by the old fort built by the Portuguese, and by the Sultan's palace. The latter has now been converted into the barracks for the French police. I went all over it with the French commandant, who takes the greatest pride in it. The whole interior was in ruins, and it certainly has been restored with the greatest ingenuity and taste. In the central court there is a very beautiful little mosque.

I found a considerable number of small cases which Mr. Hunot had reserved for me: had he informed me of them sooner, I could no doubt have settled them on the

way. One was that of a British mokhalat who was being made to work as a slave by my old enemy the kaïd of Gharbia! He knew perfectly well that the man had a mokhalat certificate, but wilfully disregarded it, and I understand that he has the effrontery to show the wretched man off to visitors, saying that he had bought him for 100 dollars, and that until that sum was paid to him, he refused to give him up. I spoke very strongly on the matter to Si Hamed, who promised to intervene. I also asked Menebhi to write at once to El Ayadi, and tell him that this was the opportunity for him to make good his promise to do all in his power to protect British interests in his jurisdiction, and thus retrieve his character.

In this connection, I would add that Menebhi told Rattigan that he could never thank me enough for taking him with me on the journey, but that I should not regret it. He could say without boasting that he had great influence with Hadj Thami Glawi, and that he only had to express a wish for it to be granted. He hoped that I should always tell him if there was anything that I wanted settled, and thus give him the chance of proving his gratitude. I believe we shall find him very useful.

The most tiresome case of all, however, is that of a certain Mr. Hooper, the representative of Messrs. Halford, a Manchester firm, at Saffi. The facts as reported to me by Mr. Hunot are as follows:—

On the evening of the 9th October, his clerk was passing through the Rabat gate, and his mule apparently ran into the corporal of the police, who struck it on the head with his stick. The clerk expostulated, and told the corporal to give up the stick, which he refused to do.

On the following morning Mr. Hooper went to the Rabat gate and asked the corporal for his name. He refused to give it. Mr. Hooper then sent for one of his employés to identify the man. Whilst he was waiting, he and the corporal appear to have had a preliminary skirmish. He then left, but after he had gone a short distance he was surrounded by four of the police armed with rifles, who tried to drag him off to the station to see the captain, or failing him, the corporal. A free fight seems to have ensued, in which Mr. Hooper naturally got the worst of it. Mr. Bonich then appeared on the scene and rescued Mr. Hooper, who retired with him into the British consulate. Mr. Hooper went on the following day to lodge a formal complaint with the commandant, who fully realised the gravity of the situation. The matter was referred to the "commission de discipline," and the corporal was sentenced to imprisonment and degradation to the ranks.

Mr. Hooper called on me in the afternoon and made a formal complaint. He said he must demand further reparation, and that the case be referred to some higher tribunal. I told him that the "commission de discipline" was the only tribunal competent to deal with such a matter, and pointed out to him that the punishment inflicted was a very severe one: degradation to the ranks entailed a loss of 25 per cent. in pay, a very serious matter. The man had further been imprisoned, and his punishment was known throughout the town. I promised, however, to inquire into the matter and see what I could do with the commandant. Mr. Hooper appeared satisfied, but subsequently wrote a letter to Mr. Hunot, saying that he on two occasions that day had been "greeted with an insolent grin" by the men who were concerned in the assault upon him, and demanded their punishment. He added that unless the corporal were publicly punished, he would take immediate action at home both through the press and Parliament.

I saw Captain Schulz in the evening, and told him how serious a view I took of the matter; it was essential that the prestige of the Europeans should be maintained in Morocco, and that full reparation should be made for the assault on Mr. Hooper. Captain Schulz said, in reply, that he fully shared my views, and had consequently inflicted a very severe punishment on the offender. He had, moreover, offered to imprison the men who were with the corporal at the time of the assault, but Mr. Hooper had said that he did not consider that necessary, as they were merely acting under orders. Mr. Hooper had asked for the degradation of the corporal to the ranks and told the commandant that if that were done he would be perfectly satisfied and not make any complaint to me when I arrived.

The "commission de discipline" met on the following day and the corporal was degraded and imprisoned. The commandant consequently imagined after Mr. Hooper's declaration that the incident was closed. He was surprised, to say the least of it, at Mr. Hooper's subsequent action, which he could only consider a breach of good faith towards himself. A severe punishment has been inflicted with which the injured

party had declared himself perfectly satisfied, and it was impossible for him as commandant of the police to reopen the question or reconsider the decision come to by the "commission de discipline."

I told Captain Schulz of the fresh incident reported by Mr. Hooper to Mr. Hunot. He said that that, of course, constituted a "fait nouveau," and should be dealt with at once. He promised that he would parade the whole tabor on the following morning, would inform them that the incident had been brought to his knowledge, and would warn them solemnly that any man guilty of such conduct in the future would be at once dismissed from the force.

I left Saffi early the following morning, and heard nothing more.

Mr. Hooper is a nervous, excitable man, and I gather that he has already given trouble before. Mr. Hunot tells me that in the present instant he is being egged on by the Germans, who are doing all in their power to discredit the police and its French commandant. The fact that Mr. Hooper at first declared himself satisfied with the punishment inflicted, and is now clamouring for more looks as though he had been got at by people who had succeeded in exciting him and working on his feelings.

Mr. Hunot is no doubt too old to be vice-consul, and I am of opinion that when he retires or dies it would be advisable to appoint a paid vice-consul as the commerce of the port of Saffi is important and appears to be increasing. The German competition at present is the most serious, but the British merchants still hold their own.

October 25.—We had a very hot and disagreeable ride through a desolate country, consisting mainly of the districts ceded by Aissa to Hadj Timmer. The latter had been kaïd of the district twenty years before, but was dispossessed and thrown into prison by Aissa. Now he is once more in power, but he had to pay dearly for it, 60,000 dollars to the court for his confirmation, in addition to what he no doubt had to give to Aissa. Since his reappointment he has mulcted six sheikhs of 5,000 dollars each, so it is not surprising that the country looks bare. Menebhi pointed out to me an old man who formerly had twenty horses, and was now reduced to the one sorry mule which he was riding.

October 26.—We started in pouring rain, which had commenced about six that morning and lasted for three hours. We rode through the country occupied by the mehalla under the orders of Si Mahaboub, the officer who actually captured the Roghi. He is supposed to be addicted to all the vices and has a dash of nigger blood. He was a boon companion of Hafid's in the past when the latter was Viceroy at Marrakesh, and is supposed now to have been sent to the south to act as a spy on the various great officials. He is actually in Marrakesh at this moment, but his khalifa met me on the borders of his district, and the troops, such as they were, turned out to form a guard of honour; an awkward squad consisting of about 100 men on foot, who presented a somewhat ridiculous appearance in their semi-European uniform; very different from that of the picturesque Dukala horsemen. We slept at a place called Ras-el-Ain after a very tiring march.

October 27.—We rode to Menebha, and the reception given to Menebhi, who had not been allowed to return to his own country for the last ten years, was really most touching. The whole tribe turned out to welcome him, and their rejoicing appeared absolutely genuine. By the time we reached the kasbah we were escorted by an enormous concourse of people of all ages and sexes and of all sorts and conditions, picturesque sheikhs, tattered beggars, warriors, and bands of women waving brilliant flags, and giving vent to the high tremolo screams which denote pleasure. I am afraid his return home must have cost Menebhi a pretty penny, as he is the most generous and kind-hearted creature, and the poverty of the tribe is very great. Like all the others it has suffered from the exactions of the Glawi, and one reason for the people's joy at Menebhi's return is no doubt to be found in the hope that he will in future be able to protect them from the rapacity of the Government.

October 28.—We remained at Menebha one day, as Menebhi had promised us a great shoot at which we were to slay gazelles and greater bustards, besides smaller game innumerable. It ended in our getting sixteen sand-grouse and four pigeons, although two bustard were seen in the distance and a herd of seven gazelle were reported by one of the scouts. Still, the day was lovely, and the colouring of the Rehamna plain (an endless expanse of sandy soil and rock) was very beautiful. In the distance, towering high above the low chain of the Djibilat, we saw for the first time the mighty wall of the Atlas Mountains.

October 29.—We started at 8 o'clock for Marrakesh. It was a glorious morning,

and the much-vaunted view from the top of the Djibilat fully came up to our expectations. The vast plain, with its groves of palm trees, was slightly shrouded in mist, above which the outline of the peaks of the mountains rose hard and glittering against the cloudless sky. As we approached, the shaft of the Kutubia loomed through the mist, dominating the expanse of low, red walls, roofs, and towers of the city. At the bridge over the Tensift, about a mile from the city gates, Hadj Thami met me, with a large escort of horsemen. He reminded me in appearance very much of his brother, the Grand Vizier, but he has a finer countenance and a kinder and less shifty expression. His head and face are tiny, rather like a hawk's. He has sad, velvety eyes, set deep into his head, with heavy lids. He wears long locks of hair on each side of his face, according to the fashion of the south. His manners are beautiful, and his gestures are those of one whose ancestors have been for generations accustomed to command. He welcomed me with quiet dignity in the midst of all the bustle and confusion. He told me that just before I arrived he had received excellent news from the Sûs, with whom the Glawa tribe were at war; a signal defeat had been inflicted upon the enemy, and his mind was now free from all preoccupation and would be devoted solely to my entertainment. Two magnificent tents had been pitched for us, in which we had luncheon, and immediately after we rode into the city. The way was lined by kaïds of all the surrounding tribes, with their standards and detachments of their warriors—the wildest men I have yet seen, with large tufts of hair sticking out on each side of their heads, slung with weapons, and wearing far more brilliant colours than those we are accustomed to in the north. Powder play went on the whole length of the road, the best performers being the basha's own private bodyguard of black slaves—a very smart lot of men, each one wearing a heavy silver earring in one ear, and all mounted on iron-grey horses. The dust and noise were appalling, and the residents in Marrakesh assure me that no reception like it has been seen for years. The relief was great when, after entering the gates of the town, we turned off into a cool garden full of orange trees, flowers, and fountains, and were escorted to a most charming house which had been placed at my disposal by Moulai Brahim, the mutasseb, or inspector-general of the collection of the taxes of the town.

The post is evidently a lucrative one, and the gentleman in question who, some ten years ago was in such reduced circumstances as to be almost obliged to sell the garden, has since his appointment been able to build himself another really beautiful town house, in which he entertained me at dinner. After all the oriental splendour of our reception, and surrounded by palm trees and fountains, our minds were full of visions of the "Arabian Nights," but we were quickly brought back to the realities of British middle-class life by finding a long table laid for tea in an upper chamber with Mrs. Lennox, the very Scotch wife of our excellent consular agent, presiding over the regulation "hissing urn" and wool-work tea cosy.

The various consular officers rode out to meet me: the French Vice-Consul, M. Maigret, had only arrived the day before. Up to his arrival French interests had been in the hands of a native, but last spring M. Kouri, the French Consul at Mogador, in whom M. Regnault reposed great confidence, was sent up to Marrakesh to investigate the causes which led to Dr. Mauchamp's murder, and on his recommendation it was decided to appoint a French Vice-Consul at Marrakesh.

At the request of the French Government official orders were sent to the basha to do all in his power to assist M. Kouri in his investigation, but Mr. Lennox tells me that secret orders were subsequently dispatched by the Sultan saying that he was to do absolutely nothing beyond showing the French delegate the ordinary civility. Mr. Lennox gave me the following brief summary of the events which led to the murder, and of the intrigues of Moulai Hafid:—

The idea originally held by the French was that Hadj Abslam-el-Warzazzi, the khalifa (acting governor of Marrakesh), was the principal instigator of the murder. He was an old and trusted follower of Abd-el-Aziz and as such stood in the way of Moulai Hafid's designs. The latter was consequently very desirous that some incident should occur to ruin Hadj Abslam's reputation with the French and thus remove him from his path. This incident was furnished by the murder of Dr. Mauchamp. There is little doubt that for at least six months already Moulai Hafid had been laying his plots and was casting about for some means of discrediting his brother's government. Some time before he had called the Oolemas together, and exposed to them the serious situation of the country and the incapacity of Abd-el-Aziz, hinting that he would make a far better Sultan. The Oolemas had agreed, but had

replied that there was not sufficient grounds for a change and that the country after all was quiet. Moulai Hafid was not to be stopped by such a trifle, and lost no time in altering this satisfactory state of affairs. A series of caravan robberies took place engineered by him which rendered the roads perfectly unsafe. The necessary conditions were thus created and only the special incident was wanting.

There had been for some time past a great deal of talk about the installation of wireless telegraphy by the French and considerable capital had been made out of it by the Germans. Dr. Mauchamp on his return from France, where he had been on leave, brought to Moulai Hafid a carpet which was supposed by the people to form part of the wireless telegraph apparatus. Great excitement was aroused in the town. When Dr. Mauchamp presented the carpet to Moulai Hafid he spoke to him about putting up a French flag, saying it would be a good joke to play on the Germans; Hafid appears to have encouraged him in the idea. On the following morning Hafid sent to Hadj Abslam warning him that Dr. Mauchamp intended to put up a flag. Hadj Abslam replied that if he did so, it could only be at the suggestion of Moulai Hafid. He, however, called a meeting of the mukadimin, mayors of the various quarters of the town, and told them to advise the householders to arm and be prepared for disturbances. Early that morning a pole was erected on the top of Dr. Mauchamp's house and a rag or cloth of some sort attached to it. Dr. Mauchamp himself appears to have anticipated no trouble and went round to his dispensary. Hadj Abslam sent to ask him to take down the flag. He replied that he would do so at once and returned to his house. He found an angry mob outside the door and was unable to go in. Someone in the crowd threw a stone, then another, and he was brutally murdered. In the meantime Hadj Abslam sent for Mr. Lennox, and told him of the disturbances. He said there was great excitement in the town, and asked what he should do. Mr. Lennox replied that he must at once take measures to disperse the mob and restore tranquillity. At that moment the news was brought that Dr. Mauchamp had been made an end of. Moulai Hafid saw his opportunity and seized it. He laid all the blame for the murder upon Hadj Abslam; the French apparently believed him, and the old man was so much upset and worried that he finally resigned and died a few months later. He was replaced by his son who was a mere tool in Hafid's hands.

By that time Moulai Hafid had also obtained full control over the kasbah after a certain show of resistance on the part of the basha.

With the fall of Hadj Abslam, who had great influence with the Rehamna tribe, all opposition from that quarter was removed, and Moulai Hafid was practically all-powerful. He had not, however, as yet sufficiently discredited his brother's government with the tribes, and he conceived a new and brilliant idea. Some ten men had been imprisoned for the murder of Dr. Mauchamp. Their women, almost certainly at the instigation of Hafid, went out and sacrificed to the Rehamna tribe, begging for their support to obtain the liberation of their husbands. The Rehamna espoused their cause, and sent in a large deputation to Moulai Hafid demanding the release of the prisoners and the expulsion of all Christians. It was then that the Europeans left Marrakesh for the first time, with the exception of the Germans, who had agreed to leave, but backed out at the last moment.

Moulai Hafid's next move was to send couriers to all the tribes convening a meeting at Marrakesh to discuss the political situation in the hope that they would acclaim him as the saviour of his country and proclaim him Sultan. He was, however, doomed to disappointment. He did not find sufficient cohesion among the tribes; the time was not ripe, and the meeting came to nothing.

Mr. Lennox tells me very confidentially that Moulai Hafid, with whom he was on intimate terms, admitted that the whole thing had been a failure. After this he remained quiet until the incident at Casa Blanca; he realised then that the long-sought-for opportunity had come, and at once sent for all his various agents, Si Madani-el-Glawi, El Ayadi, Ben Zadi, &c. Mr. Lennox saw Moulai Hafid almost immediately after he received the news, and His Majesty told him that he was so happy that, although he had just finished a seven days' feast, he intended to continue for other seven days to celebrate the joyful tidings. The news of Casa Blanca reached Marrakesh on the Thursday, the Europeans left at midnight on Saturday, and Moulai Hafid was proclaimed Sultan on the following Friday.

M. Kouri, who had previously held the opinion that Dr. Mauchamp's murder was to be laid at the door of Hadj Abslam, left Marrakesh convinced that Moulai Hafid had been the real instigator throughout. He did all in his power to induce

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Mr. Lennox to give a written statement to the effect that, in his opinion, the Sultan was guilty, but this Mr. Lennox declined to do, although he was prepared to maintain the statement which he made at the time that public opinion held the present Sultan guilty.

There appears to be little doubt that M. Kouri was sent to Marrakesh to work up a crushing case against Hafid, whose attitude at that time was so unsatisfactory that the French Government seriously contemplated the possibility of a change of Sultan. Subsequently, however, his attitude changed entirely, his opposition collapsed on all points, and the matter was allowed to drop. The French have, however, kept the evidence collected up their sleeve, and may produce it at any moment should it prove necessary.

October 30.—I called on the basha this morning. He is still living in Menebhi's house, but will move very shortly into a magnificent palace which he is building, and which he showed me. I spoke to him about various cases, and he said his one desire was to meet my wishes. I could count upon their being settled the moment he returned from our trip to the mountains. He was greatly looking forward to showing me his native country, and promised me a wonderful welcome at Tilouat, the stronghold of his family. He begged me, however, to put off starting till the 3rd November, as the necessary preparations could not be made before that date.

I then went on to call on Moulai Mustafa, the kadi or chief justice of the town. Moulai Abd-el-Aziz had told me before I left Tangier that he was by far the most learned and distinguished man in Marrakesh, and that I should take great pleasure in his conversation. He was, moreover, a man of the most absolute discretion in whom I could place full confidence. He belongs to a great shereefian family, and was much appreciated by the Sultan Moulai Hassan, who gave him his daughter in marriage. The lady in question has always been the favourite sister of Abd-el-Aziz, and they still keep up an active correspondence. I understand from Mr. Lennox, whose wife is on intimate terms with her, that she is a very clever and enlightened woman. Moulai Mustafa was the only important man in Marrakesh who had the courage to protest against the proclamation of Moulai Hafid, and was actually threatened by Si Madani-el-Glawi with a rifle. The elderly sage was obliged to take refuge in the lap of Moulai Hafid, who had sufficient magnanimity to rescue him from the violence of his truculent lieutenant. Moulai Mustafa takes a somewhat biassed view of affairs on account of his affection for Abd-el-Aziz and his dislike for the Grand Vizier, whom he has never forgiven for the affront offered to him. Consequently one cannot accept all he says as gospel, at the same time he is a very astute old gentleman, and much that he told me was most interesting. He is of opinion that Moulai Hafid has entirely forfeited the respect and devotion of the people, and that if they thought they could get rid of him without foreign intervention they would do so in a moment. This fear of foreign intervention in his opinion constitutes the strength of Si Madani, who never misses an opportunity of impressing upon the people that were the present régime to be upset the foreigner, meaning of course the French, would seize the opportunity, there would be a repetition of the Shawia manœuvres, and another large slice would be lost to the Empire. I asked him about the origin of the Glawi power which had now attained such enormous proportions. He told me that previous to Si Madani's coming to the fore Glawa had been nothing more than a small mountain tribe perpetually engaged in petty warfare with its neighbours. Then Si Madani arose, a man of boundless ambition, absolutely hard and unscrupulous, and determined to come to the top no matter what it might cost. After the battle of Tazza he returned to the south and started upon his intrigues. One of his first visits was to Moulai Mustafa, and the line which he took with him was to weep over the cruel fate of his country which had suffered every humiliation under the incapable rule of Moulai Abd-el-Aziz. He appears, however, to have got very little change out of Moulai Mustafa, and he went on next to Moulai Hafid. There he was far more successful. He told him that he had discovered in some rare manuscript that Abd-el-Aziz would be turned off the throne and succeeded by one of his brothers. The first seeds of poison were thus sown, but the soil was evidently favourable and they grew apace. Hafid began to lay his plans for seizing the throne, and Glawi, the originator of the idea, became his confidential adviser. He made use of this position to increase and consolidate his own power. He defeated and dispossessed the Kaïd of Misfiwah, thus obtaining a footing on the plain. He next turned his attention to undermining the power of Gundafi; the struggle appeared an unequal one, for at that time Gundafi was far the bigger man of the two, thanks, however, to a complete lack of

scruple and an amazing run of luck, Glawi came out victorious, and at the time of Hafid's proclamation was far the most powerful of his supporters. His predominance was subsequently threatened by Aissa-ben-Omar, but he has succeeded by treachery in destroying him and he now stands alone.

Moulai Mustafa is convinced that Glawi is aiming at the Sovereign Power, and he assures me that with this object in view, his agents are circulating the story that his family is descended from the prophet, an indispensable condition for a Sultan. He is of opinion that were Glawi to be proclaimed Sultan it would be the signal for a host of pretenders to arise in other parts of the country with the result that the Empire would become a prey to anarchy and civil war. I cannot help thinking that Moulai Mustafa has allowed himself to be carried a little too far by his mistrust of the Grand Vizier. The latter is, no doubt, determined to make himself all powerful in the south and with this object in view has dispossessed almost all the kaïds, replacing them by members of his family, in many cases by his sons, mere boys of 12 and 14. At the same time much will depend on the attitude of Hadj Thami, and it appears to me that a struggle is inevitable between the two brothers. As representative of the Grand Vizier, during the latter's absence at Fez, Hadj Thami has tasted the sweets of almost absolute power for the last eighteen months and will be loth to resign them and take the second place. He is a strong man, a great warrior, an astute diplomatist and far more popular among the people than his brother. It is, perhaps, on this account that the Grand Vizier is so anxious to return to the south and take the Sultan with him. For the moment there is no doubt that he holds His Serene Majesty in the hollow of his hand.

I asked Moulai Mustafa very confidentially what he thought of the probabilities of a restoration of Abd-el-Aziz and whether the latter was sincere in his asseverations that he did not desire to remount the throne. He said that Abd-el-Aziz, undoubtedly, retained the love of the people and that in their hearts they ardently desired his restoration; but the stick held over them by the Makhzen and above all by the Glawis was, as he had said before, the danger of foreign intervention. Moulai Mustafa said that the proclamation of Abd-el-Aziz had been much nearer than anyone had realised at the time of M. Kouri's visit to Marrakesh and he could only conclude that the latter had received instructions from head-quarters which made him hold his hand. I said that I knew nothing of this and observed that Abd-el-Aziz would have been placed in a very dangerous position at Tangier if he had been suddenly proclaimed at Marrakesh, unless he could have relied upon the support of Raisuli, the only man who had effective power in the neighbourhood. Menebhi, of course, had the prestige, but no actual power. Moulai Mustafa said he had no knowledge of Raisuli's ideas although, he believed, he was dissatisfied with the present Government and sore at their treatment of him.

Moulai Mustafa is convinced that the French intend to establish a protectorate over Morocco. I told him that I did not believe this: they would no doubt do all in their power to hasten the introduction of reforms and the opening up of the country to trade, but their interests were to maintain the Shereefian Government. Any alteration in the *status quo* would raise a number of formidable questions and probably land them in difficulties with other Powers, notably Spain; they would, moreover, lay themselves open to further attacks by Jaurès in the Chamber, which they specially wished to avoid.' Moulai Mustafa replied, that if I said this it was no doubt correct; but that up till now he had held the contrary opinion, which was shared by Abd-el-Aziz. This of course was only Moorish politeness, and he had not changed his view at all.

In this connection I would add that Commander Stavely, who has been travelling through the Shawia and had just arrived in Marrakesh, tells me that the French officers there are all convinced that the Shawia will never be abandoned, and say openly that it is only a question of time for them to occupy the whole country. They said this in connection with the difficulties experienced by Commandant Mangin and the French Military Mission at Fez. It seems to me unfortunate that the French officers should not be made to exercise a little more discretion, as utterances of this kind stultify all that the French Government and their representatives at Tangier and elsewhere are constantly repeating.

Stavely was much struck by the high class of the French officers in the Shawia. their efficiency, their keenness, and their ability for organisation and administration. His impression absolutely bore out what Rattigan told me after his journey through the Shawia with M. Regnault.

October 31.—We spent the morning visiting the city. It was originally built

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by the Mourabetin Sultan, Yussuf-ben-Tashfin, in 1062, but reached the height of its splendour at the end of the 12th century, during the reign of Yakub-el-Mansoor, the great Sultan of the Mohaedin dynasty, who adorned it with the famous kutubia, the sister minaret of the Giralda at Seville, and the Hassan tower of Rabat. The kutubia is still almost perfect, and the beauty of its proportions is extreme. It is about 250 feet high, and can be seen towering above the plain at a distance of eight hours' march from Marrakesh. After the fall of the Mohaedin dynasty Marrakesh ceased to be the sole capital of the Empire, and its importance waned before that of Fez. The space enclosed by the walls is enormous, far too large for the present city, and one derives a certain impression of squalor from the large bare spaces filled with refuse of all sorts, the straggling roads and the crumbling walls of deserted habitations. One of the chief characteristics of the town is the number of its fountains, and many beautiful and well-watered gardens are concealed behind the sun-baked mud walls; but, compared with Fez, Marrakesh, contains few buildings of beauty or interest.

In the afternoon I received visits from the basha, Moulai Mustafa, Moulai Brahim, and Menebhi. They were all with me when Si Mahboub was announced, and I noticed that their attitude towards him was one of great reserve to say the least of it.

November 1.—We rode out in search of partridges, but had a very unsuccessful day.

November 2.—In the morning I called on the Viceroy, a younger brother of the Sultan, Moulai Boubker, an amiable but weak Prince, who is treated as a complete cypher by Hadj Thami. I then went on to visit Si Khassi, another of the Glawi brothers who is basha of the kasbah. It was he who took Abd-el-Aziz's tent in the final defeat and set fire to it. He showed me a Männlicher rifle which he had found in the tent and kept. He had never been able to understand the mechanism which Rattigan explained to him. In the afternoon we went to see the slave market with Lennox. The market is held in an open air enclosure with a covered gallery in the centre. The would-be purchasers squat round and the slaves, mostly little boys and girls, are walked round and round and shown off by the auctioneers. In some cases the very young ones are followed by their mothers. The amateurs from time to time stop one of the slaves, feel their arms and legs, and examine their teeth. There was no sign of maltreatment or cruelty, and the children seemed to take the whole thing as a matter of course. Before proceeding to the sale of their wares, the auctioneers kneel down and say a short prayer.

November 3.—We started at about 10 o'clock for Tilouat as the guests of the basha, accompanied by a large retinue. Our first march was about four and a-half hours to Imin Izat at the foot of the mountains, the capital of the Misfiwah tribe and the residence of the kaïd. That post is now held by one of the Grand Vizier's sons, a boy of about 14 who gave me the impression of being half-witted. He had, however, a khalifa at his elbow who seemed a capable man. Misfiwah was annexed by Glawi in 1904.

November 4.—We rode about five hours up into the mountains to Argbala where Hadj Thami has built himself a castle commanding the valley, to which I am told he is prepared to fly in the event of things going wrong. Large quantities of treasure are said to be concealed there, and countless mules laden with bullion, extorted from the inhabitants of the plain, have doubtless staggered up that mountain path.

November 5.—The weather broke. We had rain more or less all day and only got on as far as Zarkten (about one and a-quarter hours), a very picturesque place on a river of the same name with a castle in which the sheikh lives. The night was very wild; Lennox's tent and the kitchen tent were both blown down, and my boots, which were drying at the fire, were burnt.

November 6.—The rain had ceased but the weather still looked threatening, however the basha assured us that the worst was over and we started and marched for about five hours climbing continuously through grand mountain scenery. The colour of the earth was very remarkable in layers of purple and green, no longer red as in the lower spurs of the Atlas. We camped at a very desolate spot on a barren plateau covered with stones called Tatoola, just below the chain we still had to cross in order to reach Tilouat.

November 7.—We started early, and by 10·30 had reached the top of the pass, which was enveloped in clouds. All along the route we had been met and escorted by the notables of the various districts with their retainers, but to-day the mountains

seemed literally crawling with Berber warriors wearing dark cloaks adorned with a large orange patch on the back, carrying long muzzle-loaders, and slung with weapons of all sorts. They rent the air with their wild screams, which, I was glad to learn signified welcome, and their appearance as they suddenly loomed through the mist was even wilder than their cries. When we emerged from the clouds we saw, some 1,000 feet below us, a large concourse of people drawn up to receive us. Kaïds, khalifas, deputations from the various tribes, warriors on horseback and on foot, and a large party of ladies. The latter danced before us all the way to the castle, singing a high chant of welcome, the men did powder-play and executed war-dances, twirling their guns aud throwing them in the air. Our progress was very slow in consequence. Tilouat is really magnificent, and reminded me far more of some European feudal castle than of any Moorish building I have ever seen. It is built of red stone and baked mud, with huge crenulated towers, and possesses details of architecture, balustrades, pilasters, &c., which to my eye bear unmistakable traces of European influence. The present building dates mainly, I believe, from the time of Sultan Ismaïl, and I cannot help thinking that Christian slaves, of whom there were at that time any number in the country, were employed upon it. We were lodged in three long rooms opening on to a large *patio*, with flower-beds and a fountain in the centre, the fourth side being formed by the grim old wall of the castle.

In the evening a grand dance was given in our honour in one of the open-air courts of the castle. It was really a most impressive scene, and the background formed by the towers added considerably to its grandeur. In the centre a large bonfire had been kindled, which threw weird lights and shadows on the painted faces and brilliant head-dresses of the women and on the wild excited faces of the men. The dancing was little more than rhythmical swaying combined with gestures which at moments gave a slight suggestion of indecency. During the whole performance a monotonous refrain was chanted, accompanied by tambourines and pipes, celebrating, I believe, the recent victory over the Sûs and rejoicing at the arrival of the foreign bashador with the basha. There was, however, little sound of joy in the music, and the impression conveyed was that of some awful incantation or the last solemn rites before human sacrifice. We all felt slightly nervous as to what might happen next and what part we might be called upon to play.

November 8.—We did nothing much all day as preparations were being made for the great "audad" hunt (the wild sheep of the Atlas Mountain), a rare animal which has, I am assured, never been seen, and far less been shot, by any European in its native wilds. No less than two tribes had been sent out as beaters.

November 9.—We started at 7·30 A.M., and rode for about two hours into the mountains beyond Tilouat. As we were nearing the ridge on which we were to be posted there was a sudden stir of excitement. The basha had seen ten audad. We all leaped from our mules, snatched our rifles, and scrambled as best we could to the edge of the cliff. Hardly had we got there when an audad was descried leaping along the rocks about 400 yards off. There was a general fusillade, and I found to my surprise that not only the basha and his distinguished guests were shooting, but every single man who possessed a rifle, including all the black slaves. However, as they loose off their guns without aiming it did not much matter (to the audad at all events, although it upset me considerably). No one succeeded in bringing down the first, but about ten minutes later Rattigan shot a splendid old male with fine horns and a very long mane. Then there was a temporary lull, but suddenly the excitement was revived by the sight of five audad dashing down a neighbouring crag. Three went away but two came up the ravine. I was fortunate enough to get a bullet into one and Irwin hit another. We got both. The experience was a unique one, and Hadj Thami and his brother, who is kaïd of Tilouat, were delighted at the success of their hunt.

November 10.—We left Tilouat early in the morning, and reached Marrakesh on the 13th travelling by the same route. On the way down Menebhi told Irwin that Hadj Thami had complained bitterly to him of the Grand Vizier. He said he could not trust him. I feel more than ever certain that there will be a conflict between the two brothers.

November 13.—I called upon the basha in the evening, and we talked over the various small cases which had been reported to me by our consular officers. He took note of them all, and promised to settle them without delay. We also discussed the question of the "n'zalas" established by Kaïd Anflus. Orders had already been sent to the latter to meet me on my journey to Mogador, but Hadj Thami then and there wrote another letter more peremptory in tone than the first. Menebhi, who possesses great influence with the young man, is also writing.

November 14.—We left Marrakesh in the morning escorted by the basha, Moulai Mustafa, Moulai Brahim, and a crowd of lesser lights. It was with real sorrow that I said good-bye to the basha, whose kindness and hospitality towards us all had been beyond words. We rode on to Tamsloht, about 2½ hours from Marrakesh, the country-house of the shereefs of that name, who have enjoyed British protection since 1895. It was given to them as a counter move to the grant of protection by the French to the shereefs of Wazzan, and there seems every reason to believe that had His Majesty's Government been disposed to work the shereefs of the south as the French have worked those of the north, British influence in the plain of Marrakesh might have been very considerably increased.

The approach to the house is over a stony waste, and through a squalid corner of mud-built town, but the prospect on the other side is very different. The ground slopes sharply away in a series of terraces and walled gardens full of orange and lemon trees, daturas, jasmine, &c. A grove of splendid cypresses lines the house, and below the gardens rises the graceful minaret of the zowia or sanctuary of the great ancestor of the shereefs, Sidi Abdallah-ben-Hosein, the grandson of the Prophet. A vast sea of olive trees breaks the monotony of the rose-coloured plain, which extends for miles on either side, and is bounded to the south by the Atlas. The view reminded me far more of Italy than of anything I had seen in Morocco.

The old shereef, to whom protection was granted, died not long ago. He was a miser and a drunkard, and appears to have made use of his great saintliness only as a means of amassing money. By an irony of fate his sons were only able to find a relatively small sum of money after his death, and a large horde of gold must be concealed somewhere about the place. The present shereefs, two brothers of from 25 to 30 years of age, are simple amiable men. They meddle little it politics, and are chiefly occupied in developing their very large estates and administering their fortune. The older brother, Moulai Saïd, has unfortunately inherited his father's love of the bottle, but he has also developed the old Moorish taste for building and laying out gardens, and is making very considerable additions and improvements at Tamsloht. His conceptions are really grand, and the ensemble when completed should be very fine.

The shereefs possess two other large zowias, one on the slopes of the Atlas Mountains, about five hours distant, sacred to the memory of Moulai Ibrahim, the son of Sidi Abdallah; the other somewhat nearer. Both are surrounded with extensive olive yards, and their yearly revenue from that source alone is estimated at 90,000 dollars (about 1?,500*l.*).

The second brother, who resides principally at Marrakesh, appears to have got nervous at the large amount of money his brother was spending at Tamsloht, and came up to Tangier to see Mr. White in the summer. He pointed out that the fortune had been left amongst all the brothers alike, and asked that a stop should be put to Moulai Saïd's extravagance, and that he should be called upon to render an account of the sums he had already spent. Moulai Saïd hurried up to Tangier after his brother, and after some negotiation an arrangement *à l'amiable* was come to, and a deed was drawn according to which each brother was to appoint an agent who would look after his interests, and see that he received his proper share of the family revenues. I believe that on the death of their father they paid a large sum of money to Moulai Hafid in order to retain control of the Zawia.

In the evening they showed me some interesting dahirs of former Sultans, notably some of Moulai Ismaïl, the monster of cruelty who reigned at the time of Charles II, and who proposed for the hand of Mdlle. de Blois. The older ones unfortunately were at Marrakesh, among them one bearing the seal of Yakub-el-Mansur.

Moulai Saïd told me that evil always befel those who attempted to oppose his family! Once the powerful Grand Vizier, Ba Hamed, wished to seize his father, who took refuge in the zowia at Tamsloht. Ba Hamed sent men to wait outside, till he was driven by hunger to come out. But long before this occurred, they all had died! This sounds to us as a ridiculous story to be believed only by the feeble-minded and credulous, but in this country, where implicit belief is placed in the miraculous power of the shereefs, and where the strength of suggestion is so great, it can perfectly well be true. A case in point is that told me by M. Regnault of a sentry who attempted to prevent Moulai Mohammed from leaving his house at Casa Blanca, where he was practically a prisoner. Moulai Mohammed warned the man that some terrible evil would befal him: the sentry persisted; Moulai Mohammed cursed him, and he was struck blind on the spot, and taken in that state to the French hospital!

November 15.—A wearisome ride of about five hours took us to Fruga; the only

object of interest which we passed was a kasbah riddled with shells, where 'Mtougui, who at that time still remained loyal to Abd-el-Aziz, defeated the Glawi troops fighting for Hafid.

November 16.—Another five hours' march, on which we lost our way several times, took us to Ras-el-Ain in the Sheshawa district, watered by a river of the same name. The valley extends for about five hours, and consists almost entirely of gardens full of orange-trees, lemons, olives, &c.

November 17.—We left early, cutting across one corner of the rich valley, and entered upon a desolate tract of country where Menebhi had promised us a wonderful "chasse," gazelle, greater bustard, &c. We saw two of the former, four of the latter, and about 100 lesser bustard, but could not get near any of them. We slept at Ain Um Mast.

November 18.—A four hours' ride took us to a village called Sok-el-Tlata, on account of the market held there every Tuesday. I had heard on the previous day that the kaïd of the district (Hoban) had followed Anflus' bad example, and had established four "n'zalas" at which he was levying toll. I taxed him with this, but he assured me that so far from establishing fresh "n'zalas," he had actually abolished one that previously existed at Sok Tlata. It was true, he said, that there were two "n'zalas" on the frontier of the Haha district ruled by Anflus, but these were absolutely necessary on account of the frontier raiding which went on. He regretted it more than anyone else, and would be the first to welcome their abolition, but before this could be done Anflus must be obliged to mend his ways.

The country through which we rode during most of the day was covered with argan trees, from the fruit of which a very strong oil is extracted much prized by the natives. The tree, which I understand exists in no other part of the world, resembles a stunted and very gnarled oak. The leaves are like those of a small box tree. Goats are very partial to the argan nuts, and it is not unusual to see two or three of them at a time climbing about amongst the branches. When I was at Fez I tried to induce the Sultan to allow the exportation of argan nuts, but he refused on the ground that the crop was only sufficient for the needs of the country. The methods employed for extracting the oil are most primitive, and Menebhi talks of having an improved oil press sent out to instruct the natives.

November 19.—The most interesting episodes of the day were connected with my negotiations with Kaïd Anflus on the subject of the "n'zalas," a full description of which will be found in my despatch No. 238 of the 26th ultimo.

We reached Mogador at about 4 in the afternoon after a most disagreeable ride, two hours over rocks and the last hour over interminable wind-driven sand hills. The town of Mogador is built on a spit of land almost entirely surrounded by the sea. It was called into existence by the Sultan Moulai Abdullah who, to punish the rebellious people of the Sûs, closed the port of Agadir to foreign commerce in 1760. All the commerce of the south then found its way to Mogador. The town was built by Christian prisoners, the architect being a Frenchman from Avignon called Cornut. It is much admired by the Moors, who christened it E'Swera (the picture). The commerce of the town is almost entirely in the hands of the Jews. The basha came out to meet us with a large escort of troops, police, &c., and the effect of the horsemen crossing a shallow lagoon, which at certain tides cuts the town off almost entirely from the mainland, was very picturesque, and reminded one of pictures by Decamps and Fromentin.

November 20.—I received the foreign consuls in the morning. The principal topic of conversation was the "n'zala" question (see my above-named despatch). They also complained bitterly of the kadi, and asked me to do what I could at Tangier to obtain his removal. It appears that he absolutely refuses to sign any transfers of property or indeed any documents of any sort or kind, and disregards all instructions from Guebbas, whom he professes to ignore altogether, saying he only receives orders from the Sultan.

The present system followed in sanitary matters also appears to be very unsatisfactory, and they all dwelt on the necessity of the control being placed in the hands of the consular body, pending the creation of a municipality. At present the funds are misappropriated by the Moorish officials, none of the necessary measures are taken, and the health of the town suffers accordingly. I recommended them to refer the matter to the corps diplomatique at Tangier. After they left the principal British merchants, many of them Jews, came to see me, and gave me their views on the "n'zala" question.

One Jewish gentleman also wished to call my attention very seriously to the

differential treatment to which his co-religionists were subjected when travelling. It appears that they are obliged to pay a poll tax of 1 dollar. He begged me to do what I could to remedy this situation.

I had luncheon with the basha, who confirmed all that the consuls had told me about the kadi. After luncheon I rode out and saw Kaïd Anflus. On my return I visited the Jewish schools, of which there are two in the town; all the instruction is given in English, and I was struck by the intelligence and proficiency of the children.

November 21.—We embarked at 8 A.M. on board His Majesty's ship "Venus," and reached Tangier the next day at 11·30 A.M., the 22nd November.

REGINALD LISTER.

[45126] No. 354.

Mr. Lister to Sir Edward Grey.—(Received December 14.)

(No. 242.)

Sir, *Tangier, December* 6, 1910.

WITH reference to Mr. White's despatch No. 235* of the 18th ultimo, I have the honour to report that the concession for the tobacco monopoly has been awarded to the international group represented by the Banque de Paris et des Pays-Bas.

I beg leave to transmit herewith copy of a notice issued by Cid Mokri announcing the grant of the concession and warning tobacco manufacturers that they must close their businesses by the 12th proximo.

I have, &c.

REGINALD LISTER.

Enclosure in No. 354.

Extract from the "Dépêche marocaine."

AVIS.

LA Commission chérifienne d'Adjudication ayant, dans sa séance du 3 décembre, 1910, déclaré adjudicataire du monopole des tabacs au Maroc M. Léon Weil, au nom et pour compte d'une société en formation, les fabricants et détenteurs de tabacs sont avisés qu'ils ont un délai de quarante jours à partir du 3 décembre, soit jusqu'au 12 janvier, 1911, pour se conformer aux stipulations des articles 3 et 4 du cahier des charges, ainsi conçus :—

"Article 3. La Commission chérifienne des Tabacs prendra les mesures nécessaires pour que, dans le délai de quarante jours après celui où l'adjudication aura été prononcée, les fabriques et ateliers actuellement existants soient complètement arrêtés et évacués.

"Tout l'outillage, les machines, les ustensiles, et agencements ayant servi dans ces fabriques et ateliers devront, dans le délai précité, et à moins de quelque rachat exceptionnel fait à l'amiable par le fermier, être exportés par les propriétaires hors du territoire chérifien, sous la surveillance de la Douane, sous peine de confiscation ou de destruction.

"Les matières premières, tabacs en feuilles, et fournitures diverses, tous les produits fabriqués, résidus, et accessoires devront, dans le même délai, et sous la même réserve, être complètement épuisés ou exportés hors du territoire chérifien, comme il est dit plus haut, sous peine de confiscation ou de destruction.

"Article 4. Le fermier, pendant cette période de quarante jours, et d'accord avec la Commission chérifienne des Tabacs, pourra prendre toutes les mesures nécessaires pour assurer et contrôler la stricte exécution des dispositions qui précèdent. En cas d'inexécution ou de fraude de la part des fabricants, le fermier pourra d'office, avec l'assistance d'un délégué de la Commission chérifienne, faire procéder à la saisie, l'exportation, ou la destruction des objets ou matières qui subsisteraient encore chez les fabricants après le délai précité, le tout aux frais de ces derniers, et sans préjudice des indemnités et des sanctions légales auxquelles les fabricants seraient exposés de ce chef."

* Not printed.

[44470] No. 353*.

Sir Edward Grey to Mr. Lister.

(No. 171.)

Sir, *Foreign Office, December* 12, 1910.

WITH reference to Mr. White's despatch No. 157 of the 5th August last, I have to inform you that Messrs. James Power and Co. have enquired, in connection with a recent newspaper report which has since been denied, whether there is any probability of Agadir being opened to international trade in the near future. The firm have been told in reply that His Majesty's Government have no information to that effect.

I should be glad to know whether you consider it would be desirable to discuss the matter with your colleagues and to propose collective measures with a view to the opening of Agadir.

I am, &c.

E. GREY.

En conséquence, les dispositions suivantes entreront en vigueur à partir de ce jour :—

1. L'adjudicataire est autorisé à procéder, dans toutes les fabriques de tabacs existantes, à l'inventaire des machines, ustensiles, matières premières de toutes sortes, tabacs en feuilles, fournitures diverses, se trouvant dans ces fabriques.

Les fabricants détenteurs de ces matières premières et matériel seront tenus de justifier à l'adjudicataire, pendant la période de quarante jours, du mouvement de ces matières premières et matériel qui devront, pour ce qui ne serait pas repris par l'adjudicataire, être, avant le 12 janvier au plus tard complètement épuisés, réexportés ou détruits sous le contrôle de celui-ci dans les conditions et sous les pénalités édictées dans les articles précités.

2. L'adjudicataire pourra de même procéder, chez les fabricants et chez les détenteurs à quelque titre que ce soit, à l'inventaire de toutes les existences en tabacs fabriqués de toute nature et de toute provenance.

Ces détenteurs seront tenus de justifier à l'adjudicataire, pendant la période de quarante jours, du mouvement de ces tabacs qui, pour ceux qui ne seraient pas repris par lui, devront être réexportés ou détruits avant le 12 janvier, sous la surveillance de la Douane, dans les conditions et sous les pénalités prévues aux articles 3 et 4 précités.

Le Ministre des Affaires Étrangères des Finances
de Sa Majesté chérifienne,
MOHAMMED ABDESSELAM-EL-MOKRI.

[43743] No. 355.

Memorandum communicated to Mr. Norton.

THE proposals of the Société marocaine de Travaux publics as set forth in their letter to the French Minister for Foreign Affairs of the 11th August last have been carefully considered in consultation with the Board of Trade.

His Majesty's Government are asked to recognise a preferential claim on the part of the société to all contracts or concessions for the most important public works in Morocco. The inadequate participation offered to British capital in the enterprise would alone render the proposal inacceptable in its present form. Apart from the question whether other objections, such as the breach of the Algeciras Act involved by the monopolistic character of the société's proposals could be overcome, the volume and importance of British trade and shipping interests in Morocco are such as would justify a British participation, if not equal to that of France, at least not inferior to that of Germany.

This objection does not apply to the question of the adjudication of the contract for the optical apparatus of the lighthouses being awarded to the société under the conditions laid down in the abjudication regulations, it being understood that the only makers of such apparatus in Great Britain are included in the syndicate; but the question of the contract for the structural work of the lighthouses requires further consideration, whilst the suggestion that the management of the lighthouse service should be vested in a private company is not one that recommends itself to His Majesty's Government as at present advised.

Foreign Office, December 14, 1910.

[43743] No. 356.

Sir Edward Grey to Mr. Lister.

(No. 172.)

Sir, *Foreign Office, December* 15, 1910.

YOU will have seen from the Morocco print sections that in a letter from the Foreign Office, dated the 4th ultimo, the Board of Trade were invited to furnish me with an expression of their views in regard to the request of the Société marocaine de Travaux publics for the official support of His Majesty's Government.

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I have now received a reply from the Board, a copy of which I transmit to you herewith.* They entirely agree that the inadequate participation offered to British capital renders it undesirable for His Majesty's Government to support the société, and a memorandum in this sense, a copy of which is enclosed,† is being sent to Mr. Norton. I should be glad if you would communicate the substance of this memorandum to your French and German colleagues, who will no doubt report to their respective Governments on the subject.

As regards the lighthouse contract, the Board have been requested to obtain the opinion of the Trinity House, as suggested in the last paragraph of their letter, and I am in communication with the Admiralty on the question of allowing the control and management of the lighthouses to be vested in an international private syndicate.

I am, &c.
E. GREY.

[43743] No. 357.

Foreign Office to Board of Trade.

Sir, *Foreign Office, December* 15, 1910.

WITH reference to your letter of the 1st instant, I am directed by Secretary Sir E. Grey to transmit to you herewith copies of a despatch addressed to His Majesty's Minister at Tangier,‡ and of a memorandum communicated to Mr. R. D. Norton on the subject of the Société marocaine de Travaux publics.†

Sir E. Grey would be glad if the Board of Trade would obtain the opinion of the Trinity House on the question of the lighthouse contract as suggested in the last paragraph of your letter under reference.

I am, &c.
W. LANGLEY.

[43743] No. 358.

Foreign Office to Admiralty.

Sir, *Foreign Office, December* 15, 1910.

I AM directed by Secretary Sir E. Grey to state, for the information of the Lords Commissioners of the Admiralty, that an international syndicate, called the Société marocaine de Travaux publics, has been formed for the purpose of carrying out public works in Morocco. The syndicate are prepared to advance the necessary money for such works in the first instance, recouping themselves subsequently by various means, and in return they claim preferential treatment, amounting practically to a monopoly, in regard to the most important public works in Morocco.

The Public Works Committee, instituted under the Act of Algeciras, have decided on the construction of five lighthouses, the construction and payment to be spread over several years. The syndicate have now offered to construct these five lighthouses immediately and simultaneously. Payment of the expenditure incurred by them would not be claimed from the Moorish Government for ten years, and during this period, and longer if the Moorish Government were then unable to pay, the syndicate would be entrusted with the management of the lighthouses, maintaining the lights, paying the guardians, collecting dues, &c.

The only lighthouse at present existing in Morocco is that at Cape Spartel, which is maintained at the expense of the Powers and managed by the diplomatic body at Tangier under the terms of the convention of the 31st May, 1865, the total annual contribution of foreign Governments for the maintenance of this light and of a small harbour light at Tangier being 780*l.* It would certainly be to the advantage of British shipping that the five new lighthouses should be erected as soon as possible, and it might no doubt be more economical in the end to build them all simultaneously, but Sir E. Grey is not satisfied that it would be unobjectionable that their management should be vested in a private syndicate in which French and German influence would be practically paramount, and in which British participation is limited to about 6 per

* No. 348. † No. 355. ‡ No. 356.

cent. only of the capital invested. In view of the importance of the lights in the case of war, it would appear preferable that they should be either under the responsible control of the Moorish Government or managed collectively, as in the case of the Cape Spartel Lighthouse. The Board of Trade, who have been consulted on the matter, agree with this view; but, before coming to any decision, Sir E. Grey would be glad to receive any observations which their Lordships may have to offer on the point.

I am, &c.
W. LANGLEY.

[45392] No. 359.

Sir E. Goschen to Sir Edward Grey.—(Received December 16.)

(No. 351.)

Sir, *Berlin, December* 13, 1910.

I HAVE the honour to report that, in the course of yesterday's debate in the Reichstag, the Imperial Secretary of State for Foreign Affairs, Herr von Kiderlen-Waechter, made certain statements with regard to Germany's foreign policy. Speaking of the incident connected with the arrival of a French ship in the harbour of Agadir in Morocco, Herr von Kiderlen recalled the fact that France and Spain had been entrusted with the task of policing the sea off the south coast of Morocco. The Secretary of State then pointed out that although this mandate did not carry with it the right to enter the so-called closed harbours, the French ship had in the present case been engaged in the exercise of police duties and in the suppression of the smuggling of arms. This was the sole reason for the ship having entered the port. An official statement to this effect had been received from the French Government, and the latter had added that there was no question of opening the port. This opportunity had been seized by the German Government to re-affirm their own point of view, which was also shared by the French Government, that the opening of one of the closed harbours could only be carried out by the Sultan with the assent of all the contracting Powers. It was understood that, were any such action contemplated, fair notice would be given, so that the subjects of any particular Power should not be in a position to gain undue advantages. The Secretary of State concluded his remarks on this subject by saying that he regarded the Agadir incident as completely closed.

Turning then to a point raised by a previous speaker in connection with the Mannesmann case, Herr von Kiderlen said that it was most desirable that the brothers Mannesmann should come to an understanding with the other parties interested, and more especially with the Mining Union—an undertaking in which many important German firms were involved. Should it prove impossible to come to any agreement, the matter could be referred to the International Court of Arbitration, an eventuality provided for in the draft of the Morocco Mining Law. Herr von Kiderlen added that he was unable at present to make any official statement with regard to this law. He regretted that in certain quarters indiscretions had been committed to the advantage of interested persons. The result of this had been that the Imperial Government also had regarded it as their duty to communicate to the German subjects interested the more important provisions of the Bill.

The Secretary of State then went on to reply to certain criticisms which had been directed, in the course of the debate, against the organisation of the Imperial Foreign Office. He reminded the Reichstag that two years ago he had expressed his appreciation of the efficiency and reliability of this department, and that at that time his statements had not been received with much enthusiasm. Now, however, after having been for several months at the head of the Foreign Office, he felt able to pay fresh tribute to the industry, conscientiousness, loyalty, and efficiency displayed in the work of the officials of all ranks in the department which he controlled. Reforms must inevitably, from time to time, prove necessary, but it was desirable that proposals in regard to such reforms should be put forward in committee, and not in the plenary sittings of the House. Herr von Kiderlen promised that any such proposals put forward in committee would receive his full attention, and that he would always be prepared to give any information which might be desired in regard to the organisation of his department.

The Secretary of State's remarks were well received, and will doubtless have done much towards effacing the bad impression made by him in the Reichstag two years ago, when, after the "Daily Telegraph" revelations, he attempted, in a maiden speech, an ill-timed and tactless panegyric of the organisation of the Imperial Foreign Office.

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Herr von Kiderlen's adroit reference to the fiasco of his first appearance in the Reichstag was well calculated to gain him a sympathetic audience in the future.

The Secretary of State's speech was very well received in the press. The "Deutsche Tageszeitung" praises Herr von Kiderlen's intelligence and energy, and describes him as a man thoroughly conversant with his duties, and conscious of what he requires. According to the "Hamburger Nachrichten," the statements made by the new Secretary of State with reference to the Agadir incident and the Mannesmann case were "correct and satisfactory." The "National-Zeitung" congratulates Herr von Kiderlen on his successful debut, and considers that an excellent impression was produced by his remarks. The general tone of the press comment shows, in short, that Herr von Kiderlen has already taken a long step in the direction of re-establishing himself in the favour of the Reichstag, which he forfeited two years ago.

I have, &c.

W. E. GOSCHEN.

[45533] No. 360.

Mr. Lister to Sir Edward Grey.—(Received December 17.)

(No. 243.)

Sir, *Tangier, December 9, 1910.*

IN continuation of my despatch No. 238 of the 26th ultimo, on the subject of the "n'zalas," at which exorbitant road dues are levied between Mohador and the interior by various southern kaïds, I have the honour to report that at a meeting of the foreign representatives called at my request, I gave a full account of my negotiations with Kaïd Anflous.

My colleagues were kind enough to express to me their thanks and the thanks of their respective governments for the efforts I had made on behalf of international commerce. They endorsed my opinion that the evil would be remedied if it were laid down that only those goods should pay dues which passed the night at n'zalas; they approved the tariff which I had proposed to Kaïd Anflous. It was settled that a note should be drawn up by the acting doyen of the diplomatic body with my assistance, and addressed to Sid Mokri in Paris. A copy of it should at the same time be handed to Sid Guebbas for transmission to Fez. This procedure was adopted at my suggestion, as the previous note to Guebbas had proved perfectly ineffectual and had even remained without an answer! There is no doubt that both the Sultan and the Grand Vizier pocket a large percentage of the proceeds of the n'zalas, and Mokri is the only man who could be made to realise the true interest of the Moorish Government in the matter. The note, copy of which is enclosed, is now being translated, and I propose to send a copy of it to M. Regnault, who, I hope, may still be in Paris, and to request him to bring all the pressure he can to bear on El Mokri.

At a meeting of the diplomatic body held a few days later to discuss another matter the Spanish Minister read us a letter from his consul at Mogador, who stated that, from information he had received from a trustworthy source at Fez, he believed that the Sultan had been inclined to yield to our first representations (see Mr. White's despatch No. 140 of the 21st July), but that Kaïd Anflous had got wind of this and had at once offered His Shereefian Majesty and the Grand Vizier a share in the spoils, which made them at all events defer taking any action. I am inclined to consider this hopeful, as it shows that the Sultan realised the enormity of the abuse, and I trust that, with a little more pressure, he will be induced to meet our wishes.

Two days ago the Spanish Minister called upon me, and told me that he had received telegraphic instructions from his Government to convey to me personally their thanks for the action I had taken, and handed me the enclosed note. I thanked him warmly for the flattering message which it contained.

I have, &c.

REGINALD LISTER.

Enclosure 1 in No. 360.

Note communicated to Sid Mokri by Acting Dean of the Diplomatic Body.

(Après les compliments d'usage.) *Tanger, le 30 novembre, 1910.*

VOTRE Excellence se rappellera sans doute que, sous la date du 24 juillet dernier, le corps diplomatique a adressé au Maghzen une plainte concernant les impôts indûment levés par les Caïds Anflous et Gilouli sur les routes qui conduisent à Mogador. Dans sa réponse du 31 juillet votre Excellence a bien voulu nous communiquer qu'elle avait porté cette plainte à la haute connaissance de Sa Majesté chérifienne, mais depuis nous n'avons rien appris. Dans ces conditions le corps diplomatique a adressé au Ministre chérifien des Affaires Étrangères, Si Mohammed-el-Mokri, une lettre à ce sujet dont j'ai l'honneur de vous transmettre ci-jointe une copie.

Conservez-vous bien, &c.

Enclosure 2 in No. 360.

Note communicated to Shereefian Minister for Foreign Affairs by the Diplomatic Body.

(Après les compliments d'usage.) *Tanger, le* , 1910.

SOUS la date du 24 juillet dernier le doyen du corps diplomatique a adressé une lettre à Si Mohammed Guebbas dans laquelle le corps diplomatique expose que son attention avait été appelée sur le fait que des taxes abusives sont imposées au commerce européen par les Caïds Anflous et Gilouli par moyen de nombreux inzalas établis sur toutes les routes qui conduisent à Mogador. Ces taxes ("n'zail") sont particulièrement abusives entre Mogador et Marrakech. Elles sont formellement contraires aux traités. Le corps diplomatique ajoutait que, si cet état illégal ne cessât il serait, à son regret, obligé de rendre le Maghzen responsable du maintien d'un état de choses formellement contraire aux traités.

A cette lettre du 24 juillet Si Mohammed Guebbas a répondu le 31 suivant qu'il l'avait transmise à la haute connaissance de Sa Majesté chérifienne, mais depuis nous n'avons rien entendu.

Il me paraît superflu de donner des détails à votre Excellence au sujet de cette question, qu'elle doit connaître à fond. Il suffit de dire que ces exactions, qui ne reposent sur aucune autorisation, et qui constituent une grave infraction aux traités, ont prix de telles proportions dans les deux dernières années que le commerce de Mogador, autrefois si florissant, en est déjà sérieusement atteint et risque d'être complètement détruit. Des "n'zail" ont été établis à une distance de dix minutes des portes de la ville, où la sécurité n'est aucunement menacée; les marchandises, qui n'ont parcouru qu'un trajet de quelques centaines de mètres, y sont soumises à des droits excessifs; sur le parcours de Mogador à Agadir les droits prélevés par les différents caïds s'élèvent à 6 douros par charge de chameau! Il en est résulté que les produits de l'intérieur ne sont plus dirigés sur Mogador, mais prennent d'autres routes sur lesquelles il n'existe pas de "n'zail." Pour citer un cas, l'exportation de peaux en Amérique, qui autrefois s'évaluait à 200,000 douros par trimestre, se voit réduite depuis quelques temps à 50,000 douros, et ce trimestre n'atteint probablement pas le chiffre de 40,000 douros! Par conséquent, l'importation à Mogador de produits et de marchandises de l'Europe a également fortement, diminué au détriment non seulement des commerçants mais aussi du Trésor chérifien, dont les recettes de douanes doivent être bien amoindries. D'ailleurs, étant obligés de réduire leurs établissements, le travailleur indigène ne trouve plus d'emploi et la misère grandit tous les jours.

Le Ministre de Sa Majesté britannique, qui dernièrement a fait un voyage dans le sud, a profité de cette occasion pour délibérer au sujet de cette question avec Hadj Thami-el-Glawi, auquel il a expliqué que le Gouvernement anglais ainsi que ceux des autres Puissances, considérait cet état de choses comme très grave, et était décidé a insister pour que le Maghzen y porte remède. Mr. Lister a prié son Excellence El Glawi d'inviter le Caïd Anflous à se rencontrer avec lui lors de son passage à travers son district, afin de s'entretenir sur la question.

Une entrevue eut lieu aux portes de la ville de Mogador le 21 novembre. Mr. Lister développa au caïd toute la situation en se servant des arguments précités; il lui a également démontré que comme les droits en question amèneraient inévitablement

la cessation complète du commerce, il aurait beau installer des "n'zail" et imposer des droits, il n'y aurait bientôt plus de marchandises pour les payer. Mr. Lister n'a pas caché à Anflous que les représentants des Gouvernements intéressés étaient décidés à obtenir satisfaction sur ce point en faisant une démarche des plus énergiques auprès du Gouvernement chérifien.

Après une longue discussion le Caïd Anflous promit de se conformer à chaque arrangement qui serait pris dans la matière par le Maghzen à la suite des démarches du corps diplomatique, mais ajouta qu'il lui parut équitable que les Caïds Gilouli, Mtougi, et Hoban, qui prélevaient aussi des droits de péage, seraient également tenus à se soumettre aux décisions qui seraient prises par le Maghzen. Mr. Lister approuva cette manière de voir, en assurant le Caïd Anflous que l'élément personnel n'existait nullement dans la question, mais que le corps diplomatique attaquait seulement le système et que, par conséquent, les mesures qui seraient ordonnées devraient être appliquées à tous sans exception.

Caïd Anflous demanda quel serait l'arrangement qu'on proposerait au Maghzen, et Mr. Lister a dit qu'il voulait d'abord se concerter avec les autres représentants à Tanger, mais que son idée personnelle était que des droits ne seraient exigibles que sur les marchandises qui passeraient la nuit dans les inzalas, et que ces droits seraient réduits à 1 peseta H. par chameau, ½ peseta H. par mule, et ¼ peseta H. par âne. Il a fait observer au caïd qu'il ne pouvait pas se plaindre de ce tarif, vu que dans le temps une charge de chameau ne payait que ⅛ peseta.

Le Ministre de Sa Majesté britannique nous ayant soumis cette proposition, le corps diplomatique a été unanime à l'adopter et à applaudir aux vues que Mr. Lister avait exposées au Caïd Anflous et qui sont dans le vrai intérêt du pays.

Le corps diplomatique, convaincu que votre Excellence partage complètement sa manière de voir et approuve les mesures équitables qu'il propose dans la matière, qui se conforment du reste à l'usage qui obtient partout ailleurs dans l'Empire chérifien, me charge de la prier de bien vouloir donner sans retard aux caïds de l'Empire qui jusqu'à présent prélevaient des droits de péages incriminés, des ordres nécessaires pour qu'ils se tiennent aux conditions suggérées par le Ministre de la Grande-Bretagne, et approuvées par le corps diplomatique de Tanger.

Conservez-vous bien, &c.

Enclosure 3 in No. 360.

M. Merry del Val to Mr. Lister.

M. le Ministre et cher Collègue, *Tanger, le 5 décembre*, 1910.

LE Gouvernement de Sa Majesté catholique vient de me charger de vous transmettre ses remerciements sincères pour l'habileté et le zèle que vous avez déployés dans l'intérêt du commerce de toutes les nations avec le Maroc lors de vos récentes négociations avec le Caïd Anflous à Mogador.

C'est pour moi une grande satisfaction que de pouvoir me faire l'interprète de ce témoignage mérité de reconnaissance.

Veuillez, &c.

A. MERRY DEL VAL.

[45535] No. 361.

Mr. Lister to Sir Edward Grey.—(Received December 17.)

(No. 245.)

Sir, *Tangier, December* 10, 1910.

I HAVE the honour to transmit to you herewith copy of a despatch which I have received from His Majesty's consul at Casa Blanca, enclosing a cutting from the "Vigie marocaine" relative to a visit paid recently by Admiral Senès to the port of Agadir. The French chargé d'affaires had already mentioned the matter to me, and had told me that Admiral Senès had gone off for a three weeks' cruise down the Moorish coast to finish up at Teneriffe. When off the port of Agadir he had asked for permission to disembark. He had been told that the permission could not be granted without reference to Kaïd Gilooli. This would mean a delay of a few days, but the local authorities begged him to return, as they hoped that the reply would be favourable. On his return journey Admiral Senès called again at Agadir. He found

that the necessary permission to land had been granted by Gilooli, who sent many flattering messages of welcome. A most cordial reception was given him, and he was presented by the kaïd with a fine horse.

At one of the recent meetings of the corps diplomatique the Austro-Hungarian Minister said he had heard of Admiral Senès' visit to Agadir, and the French chargé d'affaires told the representatives of the Powers very much what he had told me a few days before.

I see in the French papers that a very distorted version of the incident was telegraphed from Tangier to the "Kölnische Zeitung," and that the Chancellor was called upon to reply to a question on the subject in the Reichstag.

I also see that the correspondent of the "Morning Post" telegraphs that two French and one Spanish cruiser are watching the port of Agadir, which is absolutely untrue.

When I was in the South I was told that the inhabitants of Agadir were most anxious that the port should be once more opened to foreign commerce, and threatened to take the matter into their own hands. It had been most flourishing until 1760, when it was closed by the Sultan Moulai Abdallah as a punishment to the rebellious people of the Sûs.

Admiral Senès arrived at Mogador the day after I left, and sent me a kind message through the French vice-consul to say that he would be only too happy to transport me and all the members of my party to Tangier on board the "Du Chayla" if I would wait a day longer. As I was fortunate enough to have His Majesty's ship "Venus" at my disposal I was in a position to gratefully refuse his invitation, which under other circumstances might have been most acceptable.

I have, &c.

REGINALD LISTER.

Enclosure 1 in No. 361.

Consul Madden to Mr. Lister.

(No. 219.)

Sir, *Casa Blanca, December* 5, 1910.

I HAVE the honour to enclose herewith a cutting from the "Vigie marocaine" of the 4th instant, giving an account of a recent visit of the French cruiser "Du Chayla" to the closed port of Agadir in Sûs.

Agadir, which is 70 miles south of Mogador, is a high rock, and the bay is triangular. It is near the north of the Sûs River, which fishing vessels used to ascend as far as Tarudant, but now the river has silted up.

I might mention here the port of Massa or Messa, which may come into prominence should Agadir be opened as a commercial port. Massa is 35 miles below Agadir. The country is very fertile to all accounts, and the place, which stands on both banks of the River Massa, is a collection of huts, but there is a battery and the remains of an old mole, showing that it was once used as a port. To get to Massa one enters the river and turns at right angle. Vessels could, it is said, go up to Massa, were the river, which had silted, to be dredged. Flat-bottomed steamers, I was told some years ago, could ascend the river in its then silted-up state.

I have, &c.

A. M. MADDEN.

Enclosure 2 in No. 361.

Extract from the "Vigie marocaine" of December 4, 1910.

LE "DU CHAYLA" À AGHADIR.

LE "Du Chayla" vient de rentrer à Tanger après une randonnée dont les résultats présentent un intérêt de premier ordre.

Ce croiseur avait, en effet, pour mission, après trois tentatives infructueuses, de débarquer pacifiquement à Aghadir, port qui, jusqu'à ce jour, fut rigoureusement fermé à toute pénétration européenne.

La première fois le "Du Chayla" mouilla à Aghadir le 9 novembre, mais le

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pacha fit savoir au Commandant Senès que le moment n'était pas venu de débarquer. Le "Du Chayla" se rendit alors aux Canaries et revint à Aghadir le 19. Cette fois le Commandant Senès, le docteur et le commissaire du bord furent autorisés à débarquer. Ils furent reçus dans la citadelle même par le pacha, qui leur offrit à déjeuner.

Le lendemain, le pacha et sa suite se rendirent à bord "Du Chayla," où un cordial accueil leur fut réservé. Le pacha offrit un superbe cheval au Commandant Senès en échange des cadeaux qui lui furent remis.

Il convient de signaler d'une façon toute particulière le succès de cette mission, qui paraît être le prélude de l'ouverture du port d'Aghadir au commerce européen.

[45797] No. 362.

Mr. Lister to Sir Edward Grey.—(Received December 19.)

(No. 246.)

Sir, *Tangier, December 13, 1910.*

WITH reference to my despatch No. 243 of the 9th instant, I have the honour to transmit to you herewith translation of a note which I have received from El Mokri in reply to a letter which I addressed to him on my return from the south, thanking him for all the attentions which had been shown to me upon my journey. I mentioned that I had seen Kaïd Anfloos and discussed with him the question of the N'Zalas, which were absolutely contrary to treaty, and which were rapidly destroying the trade of Mogador. I added that the matter was one which interested all the foreign Governments, that I intended to make a report of my negotiations to my colleagues, and that a further communication on the subject would no doubt be addressed to the Makhzen.

I also, as reported in my despatch No. 238, Confidential, of the 26th ultimo, mentioned the matter to Guebbas, and gave him an outline of the arrangements which I intended to submit to the approval of my colleagues. He has evidently reported fully on the subject to El Mokri.

The collective note, a copy of which was enclosed in my despatch No. 243 of the 9th instant, has not yet been dispatched owing to a delay in the translation, but I consider that El Mokri's reply to my letter is most satisfactory. As you will observe, he states that he approves most highly of the arrangement come to, and that he has informed the Sultan of it in order that he may issue Shereefian orders for putting the same into force. His Shereefian Majesty will very shortly receive a full description of the arrangement proposed, as a copy of our note to El Mokri will be handed to Cid Guebbas to-day. He may not be best pleased at the temporary loss of monthly instalments which he will sustain, but I do not see that he can possibly raise any opposition in view of the very decided opinion expressed to me by his Minister for Foreign Affairs and Finance.

If we have succeeded in obtaining the abolition of this abuse an inestimable benefit will have been conferred on the commerce of Mogador, which was undoubtedly threatened with destruction.

I have, &c.
REGINALD LISTER.

Enclosure in No. 362.

Cid-el-Mokri to Mr. Lister.

(Translation.)

(After compliments.)

I HAVE received your letter of the 23rd Kaade (26th November), informing me of your return to Tangier from your journey to the Houz districts, and giving expression to your gratitude for the extreme attention shown to your Excellency by the officials of His Illustrious Majesty (may his glory continue), and for the kindnesses and honour extended by them to you, and more especially at Marrakesh, all of which gave you the highest pleasure and gratification. You also express the great pleasure you had in meeting Kaïd Anfloos at Mogador, with whom you spoke of the desirability of discussing the matter of placing the N'Zalas in his district and in those of Kaïds Gilooli and Mtougi on a proper footing, and at the interest he showed in connection with the economic interests of the general trade of Mogador.

I took note of all this, and I experienced the utmost satisfaction, joy, and pleasure at your safe return, and I pray that God will grant you a pleasant sojourn with complete repose and health by His bounty and grace.

As regards the hospitalities and festivities properly accorded to you by the Shereefian authorities, they are the confirmation of the friendly sentiments of our Lord (God exalt him) towards your Excellency and towards your honoured Government, and I regard the thanks to which you give expression as proceeding from the noble qualities and praiseworthy attributes with which you are endowed, and which are recognised by us and by every Moorish citizen. It therefore devolves upon me to offer to your Excellency my best thanks and sincerest gratitude for the high tribute and generous praise given expression to in your letter towards our Lord—the victorious in God. And as regards the arrangement for setting right the matter of the N'Zalas, details of which have been given me by his Excellency the Commissioner for His Shereefian Majesty (Cid Guebbas), it has my fullest approval. We take it as a convincing proof of your Excellency's extreme desire to maintain harmony and further the interests of commerce.

We have had the honour of informing His Shereefian Majesty of this, in order that Shereefian commands may be issued to give effect to the arrangement set forth in the detailed statement above mentioned in the district referred to, of which I inform your Excellency.

May you, &c.
MOHAMMED EL MOKRI.

Paris, Hejja 2, 1328 (December 5, 1910).

[47060] No. 363.

Mr. Lister to Sir Edward Grey.—(Received December 31.)

(No. 248.)

Sir, *Tangier, December 23, 1910.*

I HAVE received your despatch No. 171 of the 12th instant relative to the possible opening of the port of Agadir, in which you ask me whether I consider it desirable to discuss the matter with my colleagues and to propose collective measures to obtain the same.

As you are aware, the opening of the port of Agadir would mean the destruction of the commerce of Mogador, which is largely in British hands. The firms at present established there would no doubt transfer their business to Agadir, but, before taking any steps in the matter, I would prefer to have the opinion of His Majesty's consular officers at Casa Blanca and Mogador as to the views of the British merchants themselves. One cannot help feeling that it is almost a pity to raise the question just at the moment that we have succeeded, or may shortly hope to succeed, in obtaining the abolition of the exorbitant road dues which have been strangling the trade of Mogador, but of course we must be guided by the interests of British commerce in the matter.

I have, &c.
REGINALD LISTER.

[47062] No. 364.

Mr. Lister to Sir Edward Grey.—(Received December 31.)

(No. 250.)

Sir, *Tangier, December 24, 1910.*

WITH reference to my despatch No. 216 of the 8th instant, I have the honour to transmit herewith a memorandum drawn up by M. Porché, the Government engineer, in regard to the proposed construction of a harbour at Tangier.*

M. Porché observes that he has dealt first with the projects for the erection of lighthouses on the Moorish coast and for providing Tangier with a water supply, as the cost of the former can be met out of the funds of the "Caisse spéciale," whilst that of the latter will probably be covered by receipts from water rates. He has, on

* Not printed.

the other hand, postponed the study of the Tangier harbour scheme, as it must be subordinated to the financial question, which he proceeds to examine in detail.

M. Porché prefaces his remarks by stating that it is not his intention to prepare a cut and dried plan worked out in all its details, and to invite tenders for carrying out the work in accordance with his plan without variation, but rather to present a well-studied programme with "cahier des charges" attached, and invite certain firms to compete for the contract in accordance with article 29 of the regulations regarding adjudication in connection with the "Caisse spéciale."

After examining all the sources of revenue which can be applied to the Tangier harbour, M. Porché arrives at a total sum of from 32,000*l.* to 36,000*l.* per annum, whereas he calculates that from 44,000*l.* to 52,000*l.* would be required to meet interest and sinking fund of a loan and the working expenses.

The conclusion to be drawn from M. Porché's memorandum would appear to be that the only manner in which the financial difficulty can be overcome is to accept the offer of the Compagnie marocaine des Travaux publics, which has not yet been formally presented to the diplomatic body, though the company has been in communication with Sid Mokri, with M. Porché, and with many of the representatives individually and unofficially.

The fact that 5 per cent. of the future mining royalties have already been assigned as security for the Spanish indemnity will, of course, render it much more difficult to raise a loan for public works, but there still remains the balance of the royalties, the surplus of the customs, and other revenues assigned to the 1904 and 1910 loans, and the Government properties in the interior, though the revenues derived from these would be difficult to control for some time to come at any rate. The "tertib" also remains to be put into operation, and, if properly controlled, the revenues derived therefrom would amount to a considerable sum: its effective application is, however, beset with difficulties, and there seems to be no immediate prospect of its being enforced.

I have, &c.
REGINALD LISTER.

[47063] No. 365.

Mr. Lister to Sir Edward Grey.—(*Received December* 31.)

(No. 251.)

Sir, *Tangier, December* 24, 1910.

I HAVE the honour to acknowledge the receipt of your despatch No. 172 of the 15th instant, instructing me to communicate to my French and German colleagues the substance of a memorandum in which the reasons were set forth for which it was impossible for His Majesty's Government to give their official support to the "Société marocaine des Travaux publics." I debated whether it would be better to make the communication verbally or in writing, and decided on the latter course, as it appeared to me that a verbal communication might be too vague, and that it was necessary in a matter as important that the views of His Majesty's Government should be precisely stated. I had at one moment thought of making the communication verbally to my two colleagues and of leaving an *aide-mémoire* with them in the sense of your memorandum, but abandoned the idea, as this course had never been followed in Tangier. I consequently addressed identical notes to the French and German representatives. In the afternoon I met both at the house of the Russian Minister. M. de Billy merely told me that he had received my communication, and had at once transmitted it to his Government; the decision of His Majesty's Government, he said, had not surprised him, and he added very confidentially as a purely personal opinion that he did not regret it. Baron Seckendorff's attitude was very different. He said that he had received my note; that he had been very much surprised that such a communication should have been addressed to him when there was a Cabinet and a British Ambassador in Berlin; that he was thinking over the best course to pursue in the matter; that he did not know whether he should transmit the note to his Government, but that in any case he would let me know what he decided to do! I must say I was astounded at his taking this very unexpected line in the matter. I told him that the question concerned Morocco, that it had been discussed by the corps diplomatique here, and not, so far as I was aware, by the Governments of our

respective countries, and that it appeared to me perfectly natural that I should be instructed to communicate it to him and to our French colleague, as being the representatives of the two Governments whose subjects in the company were most largely interested in the decision arrived at by my Government in the matter. Baron Seckendorff, though perfectly friendly, maintained his enigmatic attitude, and I was really at a loss to understand what he imagined or what he was driving at.

In the evening M. de Billy dined at my house, and he told me that our German colleague had been very much upset at the communication. He attributed this to his ignorance of the subject, and also to a certain nervousness as to his own position; he was, M. de Billy said, a creation of M. de Schoen's, and was now always terrified of being considered too conciliatory and easy going in Berlin. As, however, it seemed to me very regrettable that there should be any misunderstanding on so simple a matter, I called on Baron Seckendorff this morning. I said I was afraid that he might be labouring under a false impression; I related to him the previous history of the question, and reminded him that when the proposals of the "Société marocaine des Travaux publics" with regard to the lighthouses had been discussed, Mr. White had informed the corps diplomatique that he must refer the question to His Majesty's Government. The discussion had consequently been postponed pending the receipt of their views. His Majesty's Government had examined the proposals of the "Société" as a whole, and had arrived at the decision for the reasons stated in my note, that they were unacceptable in their present form. They had at once instructed me to communicate their decision to the representatives of the Powers most nearly concerned, viz., himself and the French chargé d'affaires, in order to prevent the possibility of their labouring under any misapprehension or being taken by surprise when the views of His Majesty's Government were communicated to the diplomatic body, as they would have to be sooner or later; their action in the matter had therefore been only dictated by motives of friendship and courtesy, and I really could not understand the reasons for his hesitating to transmit my communication to his Government.

Baron Seckendorff thanked me very much for my visit, and expressed great satisfaction at what I told him. He had, he said, been somewhat surprised at my communication, but had settled after all to transmit it at once to his Government without comment. He would now write and tell them exactly what I had told him, which would explain the whole incident. From one or two remarks which he made I gathered that he was more or less ignorant of the whole question.

I availed myself of the opportunity afforded me by the incident to make my two colleagues clearly understand that whatever we had done politically we had by no means abandoned our commercial interests in Morocco, and that we had every intention of maintaining the rights to which we were entitled by the volume of our trade, and by the importance of our long-established commercial and shipping interests in the country.

I have, &c.
REGINALD LISTER.

P.S.—It appears that Baron Seckendorff on receipt of my note asked the Russian and Netherland Ministers whether they had received similar communications from me, and no doubt discussed the matter with them. Under these circumstances, I am of opinion that it would be better that I should make a communication on the subject to the doyen of the corps diplomatique. In any case, one will have to be made on the specific subject of the lighthouses' proposal.

R. L.

[47140] No. 366.

Admiralty to Foreign Office.—(*Received December* 31.)

Sir, *Admiralty, December* 30, 1910.

WITH reference to your letter of the 15th instant relative to a proposal that the new lighthouses to be erected in Morocco should be placed under the control of the international syndicate called the "Société marocaine des Travaux publics," I am commanded by my Lords Commissioners of the Admiralty to request you will inform the Secretary of State for Foreign Affairs that, in view of the very small interest

which Britain would have in the syndicate, it is considered highly undesirable that the control of the proposed lights should be vested in this body.

In their Lordships' opinion, an arrangement similar to that under which the light at Cape Spartel is controlled would be the best for British shipping interests at present.

I am, &c.
C. I. THOMAS.

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PUBLIC RECORD OFFICE, LONDON